

CONFIDENTIAL.

(6063.)

F.O.

403

PART II.

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF TUNIS.

150

1890.

TABLE OF CONTENTS.

No.	Name.	No.	Date.	SUBJECT.	Page
1	To Consul Drummond Hay	1	Jan. 1, 1890	Baylical Decree, allowing French Tribunals to hear private suits against Administration. No grounds exist for objections ..	1
2	Consul Drummond Hay	1	8,	Bizerta Canal. Enlargements in progress, and intended erection of barracks ..	1
3	To Count Leyden ..	Confidential	16,	Bizerta. Transmits copy of confidential Report on the works ..	2
4	Consul Drummond Hay	2	9,	French army of occupation in Tunisia. Extract from "Journal Officiel Tunisie," giving a Report by French Resident-General ..	2
5	" "	4	18,	Commercial crisis. Report by the Chamber of Commerce. Supposed attack on administration of Protectorate ..	3
6	To Marquis of Dufferin	23	21,	Reported French overtures to villages in Gebel Nabut. Count Tornelli informed that nothing is known at Foreign Office ..	3
7	Consul Drummond Hay	5	23,	Journalistic suggestions to form a Franco-African Republic. General feeling against annexation ..	3
8	British Colony in Tunisia	..	Dec. 27, 1889	Tunisian taxes. Petition against their present position with regard to the administration ..	4
9	Consul Drummond Hay	9	Feb. 12, 1890	Petition of British Colony. Drawn up without reference to Her Majesty's Consulate ..	4
10	" "	10	14,	Petition. Although kept secret from Her Majesty's Consulate, was divulged to Italian and German Consuls ..	5
11	To Consul Drummond Hay	3	25,	French overtures to villages in Gebel Nabut. Substance of No. 5. Any truth in this Report? ..	5
12	" "	4	25,	Petition of British Colony. Transmits copy of No. 8 for Report ..	5
13	To British Colony in Tunis	..	25,	Taxation. Reply to No. 8. Her Majesty's Consul instructed to report on their case ..	6
14	Consul Drummond Hay	16	27,	Bizerta. Refers to No. 2. Extract from "Dépêche Algérienne," reporting on rapid progress in the construction of the canal jetty ..	6
15	" "	21	Mar. 5,	Ditto. Account of its works and its future, by M. P. Bourde of the "Temps" ..	6
16	" "	22	18,	Proposed canal at Bizerta. Particulars as to projected works ..	6
17	" "	23	20,	Alleged French overtures to villages in Gebel Nabut. Reply to No. 11. Incident arose out of a cattle raid ..	7
18	To Count Tornelli	31,	Substance of above ..	7
19	Consul-General Drummond Hay	1	20,	Gebel Nabut. Report unfounded. Probably arose from Vali sending for title-deeds of Sheikhs of those villages ..	7
20	To Count Tornelli ..	Confidential	Apr. 3,	Substance of above ..	7
21	Consul Drummond Hay	24	Mar. 31,	M. Massicault. Refers to No. 5. Promoted to be Minister Plenipotentiary, 1st class. This will strengthen his administration ..	8
22	" "	25	Apr. 2,	Bizerta Lake fisheries. On expiration of their lease will be let to French subjects to the exclusion of foreigners ..	8
23	" "	26	9,	Bizerta Canal. Refers to No. 22. Land at Goletta mouth will be reserved for military purposes ..	8
24	" "	27	12,	Bizerta. Beylical Decree, expropriating land near Rades for formation of a military road ..	9
25	" "	28	14,	Ditto. Beylical Decree, defining limits of Government land on the shores of the lake and the sea ..	9
26	Earl of Lytton	136	16,	Colonel Talbot's visit to Tunis. Transmits his Report and observations ..	9

TABLE OF CONTENTS.

No.	Name.	No.	Date.	SUBJECT.	Page
27	Consul Drummond Hay	29	April 22, 1890	Bizerta. Refers to No. 25. Execution of maritime works and fisheries entrusted to Messrs. Le Renard and Raymond, French citizens ..	18
28	Signor Bartolo	..	21,	His complaint. Statement of his case ..	19
29	Consul Drummond Hay	30	29,	Proposed re-establishment of Colonial Council. Resolution and Minutes of a meeting called to discuss the subject ..	19
30	To Consul Drummond Hay	6	May 6,	Signor Bartolo's complaint. Transmits copy of No. 28 for report. He has been informed that the complaint should have been sent to Her Majesty's Consul ..	21
31	To Signor Bartolo	8,	Reply to No. 28. Matter referred to Her Majesty's Consul, through whom complaint should have been made ..	21
32	Consul Drummond Hay	21	6,	Bizerta works and fisheries. Report by Her Majesty's Consular Agent at Bizerta ..	21
33	" "	22	8,	Bizerta. Refers to above. Report from Italian Consular Agent ..	21
34	" "	33	8,	Ditto. British Consular Agent's Report inaccurate. Hopes to send full report in a few days ..	22
35	Sir A. Paget	126	13,	Ditto. Conversation with Count Kálnoky on French operations ..	22
36	Consul Drummond Hay	35	18,	Ditto. Refers to No. 24. Beylical Decree, expropriating land on hill of Rhodes ..	23
37	" "	35	18,	Ditto. Beylical Decree expropriating land for barracks ..	24
38	To Sir E. Malet ..	167	31,	Ditto. Conversation with Count Hatzfeldt. Objections to making representations to France ..	25
39	Consul Drummond Hay	39	34,	Relations between Tunisia and the Metropolis. Article in "La Gazette des Colonies" ..	25
40	" "	41	June 7,	Kairwan outrage on British subjects. Details of case, and copy of his protest to French Resident-General ..	26
41	" "	49	9,	Kairwan outrage. Transmits Memorial from British subjects in Tunis, protesting ..	26
42	" "	Telegraphic	17,	Ditto. Refers to above. Asks to be authorized to demand 200% compensation. The Resident intends to ignore his right of interference ..	26
43	To Consul Drummond Hay	7	17,	Ditto. Reply to No. 40. Approves action ..	26
44	" "	Telegraphic	18,	Ditto. Reply to No. 42. Instructs him to ask what indemnity the Bey's Government will grant ..	26
45	Consul Drummond Hay	44	14,	Signor Bartolo's case. Refers to No. 30. Transmits Report. M. Bartolo has been informed that he should have awaited decision of appeal before addressing the Foreign Office ..	27
46	" "	Telegraphic	21,	Kairwan outrage. Refers to No. 44. Indemnity will not be decided till results of police officer's trial is known ..	27
47	To Consul Drummond Hay	Telegraphic	24,	Ditto. Refers to above. When is trial to be held? ..	27
48	Consul Drummond Hay	45	21,	Ditto. Extends No. 46. Transmits copies of correspondence with M. Massicault. Denies truth of statement by French authorities, that inquiry had been held without his intervention ..	27
49	Earl of Lytton	50	27,	Reported connections by England to France respecting Tunis. Conversation with Count Münster ..	28
50	Consul Drummond Hay	Telegraphic	27,	Kairwan outrage. Reply to No. 47. Case will be heard at Algiers. Cannot yet ascertain date ..	28
51	Earl of Lytton	245	29,	Reported understanding between England and France as to French annexation of Tunis. Conversation with Count Münster ..	28
52	" "	247	29,	Bizerta Harbour works. Report by Colonel Talbot on ..	29

TABLE OF CONTENTS.

No.	Name.	No.	Date.	SUBJECT.	Page
33	To Earl of Lytton ..	246	July 3, 1890	Kairwan outrage. Instructions to make an official request for compensation ..	38
34	Earl of Lytton ..	254	4.	Debate in Chamber. Resolution in favour French colonization in Tunis ..	38
35	" ..	255	5.	Ditto. Refers to above. Bill passed modifying Tariff in favour of Tunisian produce ..	38
36	Consul Drummond Hay	49	4.	Bizerta. Refers to No. 34. Asks permission to make a journey of inspection, and charge expenses to Her Majesty's Government ..	39
37	To Earl of Lytton ..	260 A	11.	Treaty between Great Britain and Tunis of 1875. French proposal that Her Majesty's Government should consent to its termination in 1896 in return for French acquiescence in proposed application of Egyptian Conversion economies. Conversation with M. Waddington ..	39
38	Consul Drummond Hay	47	1.	Kairwan outrage. Extends No. 36. Transmits certificate showing Battista Grueb is still unable to resume work ..	40
39	Earl of Lytton ..	263	12.	Ditto. Has acted on instructions in No. 38 ..	41
40	Consul Drummond Hay	Telegraphic	14.	Baylical succession. Agreement concluded between Turkish Prince and French Government, whereby the former renounces the succession for a sum of money ..	41
41	To Consul Drummond Hay	6	14.	Bizerta works. Reply to No. 36. Sanctions charging expenses of his proposed journey to Her Majesty's Government ..	41
42	To Earl of Lytton ..	266	14.	Kairwan outrage. Refers to No. 33. To take advantage of M. Massicault's presence in Paris to urge satisfactory settlement ..	41
43	To Consul Drummond Hay	Telegraphic	16.	Ditto. Refers to No. 38. Ask for reply as to date of trial, and inform Resident of state of man's health ..	41
44	Earl of Lytton ..	272	18.	Ditto. M. Massicault had gone before No. 42 arrived. Has obtained a promise from M. Ribot of early attention to the case ..	42
45	Consul Drummond Hay	50	14.	Announces M. Massicault's return ..	42
46	To Marquis of Dufferin	45	23.	Reported resurrection of Tunisian succession by heirs. Explicit denial by M. Ribot ..	42
47	To Sir A. Paget ..	127	26.	French designs on Tunis. Conversation with Count Litkeow as to communication of M. Waddington's assurances to Italian Government ..	42
48	To Marquis of Dufferin	165 A	26.	Ditto. Conversations with Italian and French Ambassadors. Latter denies any intention of his Government to annex Tunis ..	43
49	Sir A. Paget ..	209	24.	Ditto. Austrian Government informed of substance of No. 47 ..	43
50	Consul Drummond Hay	52	27.	Reports death of Sidi Hussein Bey, sent heir after Heir Apparent ..	43
51	Earl of Lytton ..	57	Aug. 1.	French designs on Tunis. A similar denial has been given by M. Ribot to Count Münster. Italian Ambassador declares on good authority that Agreement was signed on July 31st ..	44
52	To Consul-General Drummond Hay (also to Mr. R. Drummond Hay)	Telegraphic	1.	Reported fight on Tripoli-Tunis frontier. Any information? ..	44
53	Consul Drummond Hay	Telegraphic	1.	Ditto. Italian Agent at Gerba informs his Consul that a conflict has taken place ..	44
54	Consul-General Drummond Hay	Telegraphic	2.	Reported fight on Tripoli-Tunis frontier has taken place. Veli has addressed representations to French authorities ..	44
55	Consul Drummond Hay	Telegraphic	2.	Confirms report of fight on the frontier ..	44
56	Marquis of Dufferin ..	48	8.	Fight on the frontier. No further news have reached Italian Government. French denial of designs on Tunis are not believed by Italian Government ..	44
57	Consul Drummond Hay	53	July 29.	Petition of British Colony. Refers to No. 12. Transmits Report by a Committee of the Colony, with observations ..	45
58	" Communiqué " by Count Tornelli	"	Aug. 6.	French designs on Tunis. Italian Government's satisfaction at attitude of Her Majesty's Government ..	55

TABLE OF CONTENTS.

No.	Name.	No.	Date.	SUBJECT.	Page
79	Consul Drummond Hay	Telegraphic	Aug. 6, 1890	Frontier conflict. Refers to No. 74. Further details ..	56
80	To Count Tornelli ..	"	7.	Ditto. Substance of Nos. 74 and 75 ..	56
81	Sir A. Paget ..	220	6.	French designs on Tunis. Refers to No. 69. Conversation with Count Kalashky on attitude of Austria ..	56
82	To Count Tornelli ..	"	8.	Frontier conflict. Refers to No. 80. Substance of No. 79 ..	58
83	Consul Drummond Hay	54	7.	Ditto. Extends No. 79 ..	58
84	" ..	55	14.	Bizerta. Reinforcement of garrison and progress of works ..	58
85	" ..	Telegraphic	27.	Frontier conflict. Restitution of cattle, and peaceable settlement offered by French authorities to Tripoli frontier tribe ..	58
86	" ..	56	26.	Mr. Levy's case. Transmits declaration from him, renouncing claim for re-employment in consideration of a sum of money. Compromise accepted, and case closed ..	59
87	" ..	57	28.	French gun-boat "Hirondelle" has left Goletta for Bizerta ..	60
88	" ..	58	29.	Bizerta. Refers to above. The vessel has gone to make soundings opposite proposed canal ..	60
89	To Consul Drummond Hay	12	Sept. 8.	Levy's case. Approves action as reported in No. 86 ..	60
90	Consul Drummond Hay	59	2.	Frontier conflict. Extends No. 83 ..	60
91	" ..	60	18.	Kairwan outrage. Compensation admitted to be due to victims. Amount will be settled after trial of Commissary of Police. 80 <i>l</i> . will be paid at once ..	61
92	To Consul Drummond Hay	19	25.	Approves proceedings as reported in above ..	62
93	Consul Drummond Hay	61	17.	M. Massicault has been summoned to Paris ..	62
94	" ..	62	23.	Bizerta. Refers to No. 61. He starts tomorrow, taking clerk of Consulate as interpreter ..	62
95	Earl of Lytton ..	338	Oct. 3.	Kairwan outrage. Refers to No. 59. Question of compensation has been settled. Note verbale from M. Ribot ..	63
96	To Consul Drummond Hay	14	8.	Company to be formed for constructing a port at Bizerta. Any information? ..	63
97	Consul-General Sir R. Playfair	21	7.	Signor Bartola's case. If brought before Court of Appeal it will be decided on its merits. No action can be taken ..	63
98	Consul Drummond Hay	64	14.	Bizerta Port Company. Reply to No. 96. Transmits extract from "Journal Officiel Tunisie" respecting concession of works given to Messrs. Le Souer, Thompson, and Co. Preparation for building a commercial port ..	63
99	" ..	65	14.	Bizerta. Refers to above. Transmits Baylical Decree for expropriation of land required for commercial port ..	65
100	" ..	Telegraphic	22.	Departure of three French officers for the Tripoli frontier. Tribal opposition to military surveying ..	69
101	Memorandum by Mr. Cockerell	"	23.	Memorial of British Colony. Their grievances ..	69
102	Consul Drummond Hay	66	21.	M. Paul Bourde. Reports his appointment as "Directeur des Contrôles Civils et des Enseignements en Tunisie" ..	70
103	To Law Officers of the Crown	"	30.	Memorial of British Colony. Asks opinion on power of Her Majesty's Government to interfere on their behalf ..	71
104	Consul Drummond Hay	67	25.	Tunisian Budget. Extract from "Journal Officiel Tunisie," giving Baylical Decree of ..	72
105	" ..	68	25.	Tripoli frontier. Military movements to protect surveying parties ..	81
106	" ..	70	31.	Ditto. Transmits newspaper account of encounter between French troops and frontier tribes. Has directed Vice-Consuls to report all military movements ..	81

No.	Name.	No.	Date.	Summary.	Page
107	Consul Drummond Hay	71	Nov. 1, 1890	M. Massicault. Refers to No. 93. Reports his return from Paris ..	83
108	"	72	6,	Bizerta. Official notice of delimitation of Government lands around the lake ..	82
109	To Sir A. Paget ..	174	13,	Ditto. Substance of No. 104 has been shown to Count Lütow ..	83
110	Consul Drummond Hay	73	8,	Tripoli frontier. Refers to No. 106. Reports from Gabes as to military works and movements ..	83
111	Law Officers of the Crown	..	13,	Memorial of British Colony. Reply to No. 103. No grounds for diplomatic intervention ..	83
112	Consul Drummond Hay	74	10,	Tripoli frontier. Report from Soss similar to that mentioned in No. 110 ..	85
113	"	75	16,	Ditto. Refers to above. Further Report from Gabes of military works. Movements of troops are taking place from the capital ..	85
114	To Consul Drummond Hay	17	Dec. 1,	Petition of British Colony. Substance of No. 111. No action to be taken ..	86
115	Consul-General Moore	3	Nov. 26,	French designs on Tripoli. Conversation with Governor-General of Tripoli ..	86
116	Earl of Lytton ..	411	Dec. 8,	Bizerta. Anxiety of Italian Representative with regard to the proposed commercial port. M. Couvreur's antecedents ..	87
117	Consul Drummond Hay	69	Oct. 22,	Ditto. Transmits his Reports, with Maps ..	88
118	"	84	Dec. 2,	French Colony in Tunisia. Letter from Resident-General to colonists regarding their representation in Government of Protectorate ..	91
119	To Intelligence Department	Secret	30,	Bizerta. Commercial port. Transmits No. 117, for observations ..	93
120	Consul Drummond Hay	87	15,	Kairwan outrage. Result of trial of Commissary of Police and constables. Payment of indemnity will soon be made ..	93
121	Earl of Lytton ..	424	24,	Conversation with M. Ribot on French policy towards Tunis, and with Italian Chargé d'Affaires on French designs on Bizerta ..	94
122	" Communiqué " by Count Tornelli	..	7,	Bizerta. Memorandum on military nature of works. Probable effect of establishment of a naval station there on the balance of power in the Mediterranean ..	95
123	Sir S. Malet ..	247	24,	French designs on Tunis. Conversation with Baron Marschall on Italian apprehensions, and the attitude of Germany in the matter ..	95
124	Consul Drummond Hay	88	23,	Bizerta. Arrival of wood for new works. Guns also expected ..	95
125	Earl of Lytton ..	63	23,	Italian animosity towards France on subject of Tunis and Tripoli. M. Ribot hopes Her Majesty's Government will prevail on Signor Crispi to moderate activity of anti-French press ..	96

CONFIDENTIAL.

Further Correspondence respecting the Affairs of Tunis.

112	Consul Drummond Hay	77	Nov. 15,	General Ben Ayed's man. His request that his real property should be administered by British Consul. Asks instructions on question of jurisdiction ..	85 A
-----	---------------------	----	----------	---	------

(No. 1.)
Sir,

Foreign Office, January 1, 1890.

I AM directed by the Marquis of Salisbury to inform you that his Lordship has carefully considered, in consultation with the Law Officers of the Crown, Mr. Conant Ricketts' despatch No. 27 of the 1st December, 1888, which inclosed a copy of a Decree of the Bey of Tunis, dated the 27th November, 1888, purporting to confer on the French Tribunals established within the Regency power to hear and decide all suits brought by private individuals against the Administration.

I am now to state to you that Her Majesty's Government consider that there is no ground for objecting to the Decree in question. His Lordship is advised that the only effect of such Decree is to give to persons who have claims against the Administration the means of enforcing those claims by suits before the French Tribunals—a provision which is of advantage to foreigners, as well as to the subjects of the Bey.

The right of Her Majesty's Government, as it existed immediately before the making of the Decree, to protect its subjects by diplomatic action against wrongdoing on the part of the Tunisian Government is unaffected by any such Decree.

I am, &c.

(Signed) P. CURRIE.

No. 2.

Consul Drummond Hay to the Marquis of Salisbury.—(Received January 14.)

(No. 1. Confidential.)
My Lord,

Tunis, January 8, 1890.

I HAVE the honour to inform your Lordship that the canal at Bizerta has been dredged in order to admit to the quays and the lake vessels of under 8 metres draught.

The extension of the jetty is also being proceeded with for the ostensible purpose of protecting the port and the entrance to the present canal from sand. According, however, to the information I have collected, it would appear that the jetty when completed will be of sufficient length to cover the entrance to the projected canal.

I have also learnt that officers of the French Engineers have lately visited Bizerta and selected a site for the construction of new barracks, large enough to accommodate several thousand men. The buildings will be commenced next March. They further surveyed a height commanding the country through which the future canal is intended to pass. As, however, this hill is situated on the property of a British subject, the land would have to be expropriated before any works could be commenced upon it.

I have, &c.

(Signed) R. DRUMMOND HAY.

TABLE OF CONTENTS.

TABLE OF CONTENTS.					
No.	Name.	No.	Date.	SUBJECT.	Page
107	Consul Drummond Hay	71	Nov. 1, 1890	M. Mancini. Refers to No. 93. Reports his return from Paris ..	83
108	" "	72	5,	Blancs. Official notice of delimitation of Government lands around the lake ..	89
109	To Sir A. Paget ..	74	13,	Ditto. Substance of No. 104 has been shown to Count Lützow ..	91
110	Consul Drummond Hay	75	5,	Tripoli frontier. Refers to No. 105. Reports from Gabon as to military works and movements ..	92
				Willsie ..	
				.. of British Colony. Reply to No. 103.	

116	Earl of Lytton	611 Confidential	Dec. 6,	Biserta. Anxiety or Italian representation with regard to the proposed commercial port. M. Couvreur's antecedents	87
117	Counsel Drummond Hay	69 Secret and Conf.	Oct. 28,	Ditto. Transmits his Reports, with Maps	88
118	" "	84	Dec. 6,	French Colony in Tunisia. Letter from Resident-General to colonists regarding their representation in Government of Protectorate	91
119	To Intelligence Department	Secret	20,	Biserta. Commercial port. Transmits No. 117, for observations	92
120	Counsel Drummond Hay	87	15,	Kairwan outrage. Result of trial of Commissary of Police and constables. Payment of indemnity will soon be made	93
121	Earl of Lytton	428 Secret	24,	Conversation with M. Ribot on French policy towards Tunis, and with Italian Chargé d'Affaires on French designs on Biserta	94
122	" Communiqué " by Count Tornelli	" "	7,	Biserta. Memorandum on military nature of works. Probable effect of establishment of a naval station there on the balance of power in the Mediterranean	95
123	Sir E. Malet	267 Confidential	26,	French designs on Tunis. Conversation with Baron Marschall on Italian apprehensions, and the attitude of Germany in the matter	96
124	Counsel Drummond Hay	88	28,	Biserta. Arrival of wood for new works. Guns also expected	97
125	Earl of Lytton	63 Most Conf. Telegraphic	28,	Italian animosity towards France on subject of Tunis and Tripoli. M. Ribot hopes Her Majesty's Government will prevail on Signor Crispi to moderate activity of anti-French press	98

CONFIDENTIAL.

Further Correspondence respecting the Affairs of Tunis.

PART II.

No. 1.

Foreign Office to Consul R. Drummond Hay.

(No. 1.)
Sir,

Foreign Office, January 1, 1890.

(No. 1.)
Sir, I AM directed by the Marquis of Salisbury to inform you that his Lordship has carefully considered, in consultation with the Law Officers of the Crown, Mr. Consul Bicketts' despatch No. 27 of the 1st December, 1888, which inclosed a copy of a Decree of the Bey of Tunis, dated the 27th November, 1888, purporting to confer on the French Tribunals established within the Regency power to hear and decide all suits brought by private individuals against the Administration.

I am now to state to you that Her Majesty's Government consider that there is no ground for objecting to the Decree in question. His Lordship is advised that the only effect of such Decree is to give to persons who have claims against the Administration the means of enforcing those claims by suits before the French Tribunals—a provision which is of advantage to foreigners, as well as to the subjects of the Bay.

The right of Her Majesty's Government, as it existed immediately before the making of the Decree, to protect its subjects by diplomatic action against wrong-doing on the part of the Tunisian Government is unaffected by any such Decree.

(Signed) I am, &c.
P. CURRIE.

No. 2.

Consul Drummond Hay to the Marquis of Salisbury.—(Received January 14.)

(No. 1. Confidential.)
My Lord,

Tunis, January 8, 1890.

I HAVE the honour to inform your Lordship that the canal at Bizeria has been dredged in order to admit to the quays and the lake vessels of under 8 metres draught.

The extension of the jetty is also being proceeded with for the ostensible purpose of protecting the port and the entrance to the present canal from sand. According, however, to the information I have collected, it would appear that the jetty when completed will be of sufficient length to cover the entrance to the projected canal.

I have also learnt that officers of the French Engineers have lately visited Bizorta and selected a site for the construction of new barracks, large enough to accommodate several thousand men. The buildings will be commenced next March. They further surveyed a height commanding the country through which the future canal is intended to pass. As, however, this hill is situated on the property of a British subject, the land would have to be appropriated before any works could be commenced upon it.

(Signed) I have, &c. B. DRUMMOND HAY.

No. 3.

The Marquis of Salisbury to Count Leyden.

(Confidential.)

M. le Chargé d'Affaires.

I HAVE the honour to transmit to you herewith, for your confidential information, a copy of a Report on the works at Bizerta, which has been received from Her Majesty's Consul in Tunis.*

Foreign Office, January 16, 1890.

I am, &c.
(Signed) SALISBURY.

No. 4.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received January 24.)

(No. 2.)

My Lord,

I HAVE the honour to transmit to your Lordship herewith a cutting from the "Journal Officiel Tunisien" of the 2nd instant, containing a Report on the French army of occupation in Tunisia, extracted from an Address delivered by the Resident-General to the French colony on New Year's Day.

Tunis, January 9, 1890.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 4.

Extract from the "Journal Officiel Tunisien" of January 2, 1890.

Année.—Depuis le Protectorat, l'armée s'est employée à assurer, pour sa part, dans la Régence, la tranquillité indispensable au développement de l'agriculture et du commerce.

La gendarmerie a été à peu près complètement réorganisée et installée.

Le service des lits militaires a commencé à fonctionner le 1^{er} Juillet, 1888, il est maintenant établi dans toutes les places de la Tunisie, du nord à l'extrême sud, et le bien-être des troupes en a été grandement accru.

Notre action militaire s'est étendue et fortifiée surtout dans le sud.

Jusqu'en 1887, nous avions simplement à Gabès une réserve propre à la défense locale et aux mouvements éventuels d'une colonne mobile. Un avant-poste, établi à Métameur, chez les Oughamma, était destiné à faciliter la surveillance du pays et à en compléter le système de défense.

Peu à peu, le Gouvernement de l'Arad obtint la soumission de la majeure partie des tribus composant la puissante confédération des Oughamma, et l'on réussit à isoler les fractions rebelles.

Mais nous étions encore trop éloignés de la frontière pour empêcher ces fractions insoumises, ainsi que les tribus Tripolitaines voisines, d'organiser des coups de main sans cesse renouvelés contre nos partisans. Ceux-ci ne tardèrent pas à user de représailles, et dès lors, il ne se passa guère de semaine où l'on n'eût de part et d'autre, à enregistrer quelque fait de pillage, d'agression, ou de violation de frontière.

L'audace des pillards devint telles qu'ils s'avancèrent parfois jusqu'au nord de nos postes de Métameur et de Gabès.

Dans ces états de troubles, l'impôt des tribus même quasi soumises ne rentrait plus qu'avec difficulté.

L'occupation du pays des Oughamma fut décidée, et au mois de Décembre 1887, des postes militaires étaient installés à Zarzis, chez les Accara, et à Foum Tatahouine, en plein pays Ouderna; un petit détachement et un officier de renseignements étaient renvoyés à Douiret. Enfin la garrison de Métameur était renforcée, en même temps qu'on créait une installation pour les troupes avec tous les aménagements qu'elle comporte.

Le Génie militaire construisait une route reliant Métameur à Tatahouine et Zarzis, établissait le télégraphe électrique de Métameur à Tatahouine, et un fil téléphonique de ce dernier poste à Douiret. Un abri pour les convois était élevé à Bir-el-Hameur, entre Métameur et Tatahouine.

* No. 2.

Pour assister et ménager nos troupes régulières, un "maghzen" de 80 cavaliers, porté en 1889 à 120, était mis à la disposition du commandement.

Les frais d'installation des troupes dans les postes du sud, ainsi que l'entretien du "maghzen," sont supportés par le Budget de la Régence; les installations en cours d'exécution auront été effectuées dans de bonnes conditions.

Le système adopté a produit ce qu'on en attendait.

D'abord étonnées de nous voir prendre pied au milieu d'elles les populations du sud se sont peu à peu rapprochées des Agents du commandement Français, et se sont pliées, sans trop de résistance, aux justes exigences de leur Gouvernement.

Déjà les razzias de tribu Tunisienne à tribu Tunisienne et les coups de mains autrefois si fréquents des deux côtés de la frontière entre Tunisiens et Tripolitains sont devenus de rares exceptions.

Une véritable ère de paix a commencé pour cette région jadis si agitée.

Assuré de ne pas être l'objet de représailles, les fractions différentes ont successivement réintégré le sol Tunisien, et, du commencement de 1888 à la fin de 1889, près de 1,800 tentes, soit environ 2,000 individus, sont ainsi rentrés dans leur pays d'origine, ne laissant derrière elles qu'un très petit groupe de gens tellement compromis qu'il leur paraît difficile de se soumettre.

En même temps que le pays a reconquis la tranquillité, l'ordre s'est établi au point de vue administratif. C'est ainsi que l'on a pu pourvoir régulièrement l'établissement et le recouvrement de l'impôt chez les Oughamma qui, jusqu'en 1888, avaient très mal payé les redevances auxquelles ils sont assujettis.

D'autre part, se sentant protégés et soutenus, les Chefs indigènes, au lieu d'être, comme par le passé, les simples exécuteurs des décisions prises par les assemblées de tribu, sont arrivés à faire exécuter les décisions de l'autorité trop souvent méconnue jusque là.

Certains de ne pas être dépouillés du jour au lendemain, par une razzia ou un coup de main, les indigènes de la région ont donné à leurs cultures, dans les trois dernières années, une extension qu'elles n'avaient jamais eue, et favorisées par les pluies, elles ont eu d'abondantes récoltes.

Le mouvement commercial a également repris, surtout avec la côte. Il s'est traduit par un développement appréciable du centre Européen de Gabès qui, au début de l'occupation, en 1882, comptait une seule maison, alors qu'il se compose actuellement de plus d'une centaine de constructions et tend à se relier aux villages Arabes de Djarra et de Menzel.

Nous avons pu aussi régler avec le Gouvernement Tripolitain la question des prises opérées tant par nos gens que par ceux du vilayet. Et résultats considérables, les tribus des deux États voisines de la frontière, se sont engagées par acte authentique à s'opposer à tout nouveau coup de main et s'en sont rendues responsables.

Dans d'autres régions, l'action de l'autorité militaire s'est fait non moins heureusement sentir.

Au Nefzaoua, un bordj pouvant contenir une garnison d'une quarantaine d'hommes a été élevé et sert de résidence à l'officier de renseignements et à une petite troupe établie sur ce point. Ce poste empêche les partis de maraudeurs Tripolitains ou autres de pénétrer dans le Djorid et dans l'Arad.

A Sfax, la conduite d'eau aménagée par le service du Génie a permis de donner de l'eau à la population en temps de sécheresse.

Dans le cercle de Gafsa, la surveillance exercée a rapidement rétabli la sécurité et fait cesser des agressions menaçantes.

Sur tous les points du pays, l'esprit des troupes a été excellent. Leurs rapports avec les autorités Françaises et indigènes ont toujours été inspirés par le plus pur et le plus intelligent patriotisme. Notre armée, nous pouvons le dire avec fierté et à l'honneur des Chefs et des soldats, ne donne à ce pays que des exemples à suivre, et elle est pour la Tunisie un puissant instrument de civilisation.

No. 5.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received January 31.)

(No. 4. Confidential.)

My Lord,

Tunis, January 18, 1890.

I HAVE the honour to inform your Lordship that the Tunis Chamber of Commerce submitted to the Resident-General on the 14th ultimo a lengthy Report on the causes of the commercial crisis in the Regency.

In their covering letter the Committee stated that since the formation of the Chamber of Commerce in 1885, seventy-five Petitions had been forwarded to the Residency in behalf of commercial and agricultural interests, of which only fourteen of minor importance had received attention, whilst the rest had either been rejected or left unanswered.

I beg to inclose a summary of the Report for your Lordship's information, and to state that I have not included it in my Commercial series, as the chief object the Committee appear to have in view is to attack the present administration of the French Protectorate.

In my despatch No. 8, Commercial, of the 9th instant, I transmitted to your Lordship extracts of an Address delivered by M. Massicault to the French Colony on New Year's Day, where he recounted the reforms and improvements that have been introduced under his administration. His Address is now universally regarded here as a rejoinder to the Report of the Chamber of Commerce.

Considerable disaffection undoubtedly exists among Frenchmen and other nationalities over the unsatisfactory administration of the internal affairs of the Regency, and the views of the Committee of the Chamber of Commerce are, I believe, shared by the majority of Europeans and natives interested in the general welfare of the country.

The sudden departure of M. Massicault for Paris on short leave of absence is attributed to the present crisis.

I have, &c.
(Signed) E. DRUMMOND HAY.

Inclosure in No. 5.

Summary of a Report of the French Chamber of Commerce on the Causes of the Commercial Crisis in the Regency.

THE Report of the Committee opens with a grave description of the crisis: "Business has stopped, credit has disappeared, cultivation declined, and there is a serious deficit in the Budget which will produce financial disasters in the chief commercial centres of the Regency if the present system be not modified without delay. . . ."

The commercial crisis is attributed by the Chamber of Commerce to the following causes:—

"1. Repetition of an error unfortunately only too often committed by the Government in the administration of foreign countries placed under its dominion, viz., that of treating the inhabitants as if they were entirely composed of Frenchmen, and subjecting them brusquely to French institutions without ascertaining whether they will be understood or appreciated. . . ."

"2. The French Government appears to have totally lost sight of the agricultural character of Tunisia. . . . They completely forget that all the hopes of the country depend on its soil. All public works ought to be subordinate to those of agricultural interest, that is to say, limited principally to the construction of roads or small railways for connecting the centres of production and the ports of embarkation. Agriculture should be disencumbered from heavy taxes, as far as is compatible with the Budget, by a reduction of the exaggerated and inopportune expenses which interfere with the development of the resources of the country. . . ."

"3. The revenue is based upon calculations which are not in conformity with the true amount of annual receipts. This is again another consequence of the introduction of a system placing the Arab taxpayers on the same footing as Frenchmen. . . ."

"The natives are poor, irregular in the payment of taxes, and their engagements cannot be trusted sufficiently to permit of precise calculation. . . ."

"The true receipts from taxes are therefore totally different from the Returns of the Finance Administration, upon which the Budget is based. . . ."

"A considerable deficit in the Budget is the result of such an administration. . . ."

"The balance of past years was obtained by mercilessly extorting the Arabs already suffering from the effects of two past years' arrears of taxes, which the Governments of the Beys would have renounced under similar circumstances. . . ."

The Report then calls attention in the following language to the ever increasing number of French employés in all branches of the Administration for the alleged purpose of control and supervision of "public works of utility."

"The plague of functionarism which does so much harm in France has been imported into Tunis, and has assumed enormous proportions."

"4. Legislative enactments are introduced, by which the established usages of the country are changed by a mere stroke of the pen. Taxes are either raised, or new ones imposed, and monopolies conceded to the detriment of all business transactions. . . ."

"Laws enacted under such conditions render a country uninhabitable."

"Formerly French subjects were only permitted access to Tunisia under the protection of solemn Treaties guaranteeing their goods and persons from the rapacity and caprices of the Beys, and the Agents of the French Government were instructed to guard their Treaty rights and to oppose energetically any measure likely to prejudice French interests in Tunisia. . . ."

"The Government of the Protectorate has wrested all these guarantees from Frenchmen and placed them in a position far inferior to that of subjects of the smallest States of Europe. . . ."

"The presence of Frenchmen in the Councils of Ministers ought to be a guarantee of good faith and security for everything French. . . ."

"It is well known, however, what these native Assemblies mean. The Mussulman members of the Council always decide unanimously in the sense indicated to them by the presiding French Agent, who receives his instructions from the Residency. . . ."

"A reform in the present system is urgently required. . . . It is only by the addition of a Council composed of special and independent members permanently established in the country, who thoroughly understand its requirements and resources, that the Tunisian Government will be able to administer with security and success. . . ."

"This Colonial Council would be elected by the Colony with a voice in all questions affecting its Administration, and thus inspire confidence in the country, restoring its credit amongst capitalists desirous of establishing themselves in Tunisia, and who have been discouraged by the present state of affairs."

(Signed)*
CHAPÉLIE.
MOREL.
VENTRE.
BROLEMANN.

No. 6.

The Marquis of Salisbury to the Marquis of Dufferin.

(No. 28.)

My Lord,

Foreign Office, January 31, 1890.

THE Italian Ambassador called at this Office on the 27th instant, and asked whether Her Majesty's Government had any information as to an intimation given by the French authorities at Tunis to the inhabitants of eighteen villages in Gebel Nalout, belonging to Tripoli, to the effect that they should cease to pay tribute to the Turkish Government, and should consider themselves subject to the French authorities at Tunis. The Sheikh of the district in question had gone to Tripoli to complain.

Count Tornielli stated that the Italian Government considered that these proceedings, if true, showed a tendency on the part of the French to extend their authority in the direction of Tripoli.

Count Tornielli was informed that no report on the subject had been received at the Foreign Office, but that inquiry would be made.

I am, &c.
(Signed) SALISBURY.

No. 7.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received February 4.)

(No. 5.)

My Lord,

Tunis, January 25, 1890.

I HAVE the honour to transmit to your Lordship herewith an extract from "La Dépêche Tunisienne" newspaper, the organ of the French Residency, com-

* All French subjects.—E. D. H.

menting on an article which appeared in the French journal "La France" in the commencement of this month, entitled "La République Franco-Africaine," and signed by Francis Laur.* The author proposes the creation of an autonomous Republic, established by France in Algeria, and extending from the Atlantic Ocean to the Red Sea.

The "Dépêche Tunisienne" ridicules the scheme of M. Laur, and calls it "the dream of a journalist, which, if realized, would be an appalling nightmare for the French in Africa."

M. Massicault and his coadjutors in the administration of the Regency are opposed for the present to any interference with the existing system of Government. The party in favour of annexation is represented only by a small portion of the French colonists, chiefly farmers.

The deep-rooted jealousy of the Algerines may have abated to a certain extent since the French occupation, but has been succeeded by a strong feeling of rivalry shared by all parties and a determination to keep the neighbouring province from any direct or indirect interference in the affairs of Tunisia.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 8.

Petition from Members of the British Colony in Tunisia.—(Received February 4, 1890.)

To his Lordship the Marquis of Salisbury, K.G., Her British Majesty's Principal Secretary of State, &c., &c., &c.

The humble Petition of the Undersigned respectfully sheweth,

THAT the British colony in Tunisia, numbering 18,000, are from day to day becoming overcharged with new taxes, such as to render their permanency in this Regency unsupportable and almost impossible.

That since the French occupation of this country has taken place a very hard tax on water has been imposed, owing to the cession of the Zaghuan Springs made by the Tunisian Government to a private Company, that besides the irregular way of measuring the quantity of water consumed by the population, requires an exceedingly high rate of payment.

That by the will of several Tunisian proprietors the Zaghuan Springs have been, according to the religious principles of the natives, bequeathed to the city of Tunis, and the inhabitants enjoyed such benefit by contributing a small sum for the conservation of the water ducts built by His late Highness Mohamed Sadok Bey, so that the Municipality had no right to deprive the whole population of their privileges for the benefit of a private Company. It may be added that such arrangements have been made after the removal of the Consular authorities from the Municipality, and notwithstanding the opposition of nearly all the Municipal Councillors.

Umile Petizione dei Sottoscritti espongono rispettosamente,

CHE la Colonia Britannica ammonta a circa diciotto mila, residente nella Tunisia, diviene di giorno in giorno aggravata da nuove tasse, di modo che la sua permanenza in questa Reggenza si rende insopportabile e quasi impossibile.

Che dal tempo che ebbe luogo l'occupazione Francese in questo paese, è stata imposta una gravissima tassa sull'acqua in seguito alla cessione delle acque del Zaghuan, fatta dal Governo Tunisino ad una compagnia privata, che oltre la maniera irregolare di misurare la quantità di acqua consumata dalla popolazione, domanda un eccessivo pagamento.

Che per disposizione testamentaria di parecchi proprietari Tunisini, le acque del Zaghuan furono lasciate, secondo i principi religiosi dei nativi, alla città di Tunisi, e gli abitanti univano di siffatto beneficio, contribuendo una piccola somma per la manutenzione degli acquedotti che erano stati fabbricati da Sua Altezza Mohamed Sadok Bey, cosicchè il Municipio non aveva il diritto di privare una intera popolazione per il vantaggio di una compagnia privata. Si può aggiungere che queste convenzioni sono state fatte dopo l'esclusione delle autorità Consolari dal Municipio, e malgrado l'opposizione di quasi tutti i Consiglieri Municipali.

* Not printed.

That besides the aforesaid tax on water another very heavy tax has been imposed on urban property.

That such tax on urban property is much less felt by the French than by the British and other colonies, because the French in Tunis have but a very small portion of the said urban property.

That by a recent Decree of the 3rd October, 1889, this last tax has been augmented, and for the execution of such law, it is stated that no pursuits will be required in the common Tribunal, but the Municipality shall have the right to seize and sell all furniture by the simple authorization of the Bey's Prime Minister, this being an open usurpation of the rights and competence of the French Courts of Justice, to which our Government has exclusively submitted us, and a thorough denial of the right of defence belonging to any individual from whom a payment whatsoever is required.

That even if a question of a private person were to be submitted to a debate before the French Tribunal, no justice is expected to be derived from such proceedings, as direct orders from high authorities prevent the Judges from administering true and impartial justice.

That on account of this irregular way of directing public affairs in the Courts of Justice, the property of the said British colony is uncertain and wavering, being continually submitted to the whimsical behaviour of a Company or of a simple individual belonging to the nation politically prevailing in this Country, or even to the Tunisian Government itself, that depends directly upon the orders and the direction of the French Minister.

That the Treaties existing between the British and the Tunisian Governments, dated 10th October, 1863, and 19th July, 1875, have been made in a time when it was allowed to the British and other colonies to have the Consular control on the decisions of the Town Council, named "The Municipality of the City of Tunis," and, whenever a new tax was to be imposed, it could not have its effect unless approved and sanctioned by the Consuls representing the Governments of such colonies.

That since the establishment of the French Protectorate on the Regency of Tunis, this vigilance and control of the Consuls have been, without the consent of the British and the other Governments, abolished, so as to render every municipal decision relating the imposition of new

Che oltre la suddetta tassa sull'acqua, è stata imposta un'altra gravissima tassa sulla proprietà urbana.

Che questa tassa sulla proprietà urbana è meno sentita dalla Colonia Francese che dalla Inglese e dalle altre, perchè i Francesi in Tunisia non hanno che una minima porzione delle detta proprietà urbana.

Che in vigore di un recente Decreto del 3 Ottobre, 1889, questa ultima tassa è stata aumentata, e per l'esecuzione di questa legge è disposto che non sarà necessaria la citazione del debitore in Tribunale, ma che il Municipio avrà il diritto di elevare e vendere i mobili in virtù di una semplice autorizzazione del Primo Ministro de Sua Altezza il Bey, il che costituisce, senza dubbio, una aperta usurpazione dei dritti e della competenza delle Corti di Giustizia Francese, alle quali il nostro Governo ci ha unicamente sottoposti, ed un completo diniego del diritto di difesa che appartiene a qualunque individuo dal quale si domanda un pagamento.

Che, anche se la questione di una persona privata dovesse trasmettersi ad una discussione innanzi al Tribunale Francese, non si può sperare giustizia da tali procedimenti, perchè ordini diretti da alte autorità impediscono i giudici di amministrare vera ed imparziale giustizia.

Che per motivo di questa maniera irregolare di dirigere i pubblici affari nelle Corti di Giustizia, la proprietà della detta Colonia Britannica è incerta e vacillante, essendo essa continuamente soggetta al capriccioso agire di una compagnia o di un semplice individuo che appartiene alla nazione politicamente prevalente in questo paese, o dello stesso Governo Tunisino, che dipende direttamente dagli ordini e dalla direzione del Ministro Francese.

Che i Trattati esistenti tra i Governi Inglese e Tunisino datati 10 Ottobre, 1863, e 19 Luglio, 1875, sono stati fatti in un tempo quando era permesso alla Colonia Inglese ed alle altre di avere il controllo Consolare sulle decisioni del Consiglio, chiamato "Municipio della Città di Tunisi," e quindi qualora si veniva ad imporre una nuova tassa, questa non poteva mettersi in effetto se non approvata e sanzionata dai Consoli che rappresentano i Governi delle dette Colonie.

Che dopo lo stabilimento del Protettorato Francese sulla Reggenza della Tunisia, questa vigilanza e questo controllo dei Consoli sono stati aboliti senza il consenso dei Governi Europei, cosicchè ogni decisione municipale riguardante l'imposizione di nuove tasse divenne

taxes obligatory to the whole population, no revival of these decisions by the Consular authorities being considered as necessary before their promulgation, except that of the French Minister residing in Tunisia.

That such a way of directing public affairs is reducing the said British colony to an extremely vexatious state of life; and poverty amongst British subjects is being substituted to wealth and comfort.

The petitioners therefore humbly request your Lordship to inquire into the present state of public affairs relating to the British colony in the Regency of Tunis; to enter into arrangements with the Tunisian Government in order to regulate the exercise of the functions of the Municipality of Tunis, and to re-establish the control of the Representatives of the European Governments; to cause the British colony to pay only a reasonable tax on water and on urban property; and to protect the British colony with a fair and independent administration of justice.

And the petitioners, as in duty bound, will ever pray.

Tunis, December 27, 1889.

(Signed)

BENIGNO PARRUGIA.
(And 136 others.)

No. 9.

Consul Drummond Hay to the Marquis of Salisbury.—(Received February 20.)

(No. 9.)

My Lord,

I HAVE been informed that a Petition will be shortly transmitted to your Lordship signed by numerous British subjects expressing their dissatisfaction with the French Tribunals in the Regency, and setting forth the prejudicial effects to their interests of French administration under the Protectorate.

The Petition was framed and circulated by a Committee, composed of leading members of the Maltese community of this place, without my knowledge, and it now appears that they are undecided whether to transmit the document direct to your Lordship or through the Consulate.

I have let several members of the Committee know that I entirely disapprove of their mode of procedure in the matter, and intimated to them that they should have submitted their grievances to this Consulate in the usual form before making any appeal to your Lordship.

The German Consul, M. Reits, stated to me this morning that he had heard that numerous Anglo-Maltese subjects were signing a Petition to your Lordship in the sense I have mentioned, and asked me whether it would meet with my support.

I replied that the Maltese had acted independently of the Consulate, and that any complaints against the Government of the Protectorate would have to be thoroughly inquired into before I could give any opinion as to their validity.

I have, &c.

(Signed)

R. DRUMMOND HAY.

obbligatoria per tutta la popolazione, non essendo considerata necessaria la revisione di tali decreti dalle autorità Consolari prima della promulgazione, eccetto l'approvazione del Ministro Residente in Tunisi.

Che siffatto modo di dirigere i pubblici affari sta riducendo la detta Colonia Britannica ad uno stato di vita assai opprimente, e la povertà in essa prende il luogo della ricchezza.

Gli esponenti quindi pregano umilmente la Signoria vostra che si compiacca d'informarsi dello stato attuale dei pubblici affari riguardante la Colonia Britannica nella Reggenza della Tunisia, di stabilire accomodamenti col Governo Tunisino per regolare l'esercizio delle funzioni del Municipio della città di Tunisi, e per rimetterlo sotto il controllo dei Rappresentanti dei Governi Europei; d'insistere che la Colonia Britannica paghi solamente una tassa ragionevole sull'acqua e sulla proprietà urbana; e di mettere la Colonia Britannica sotto una amministrazione di giustizia equa ed indipendente.

E della grazia, &c.

No. 10.

Consul Drummond Hay to the Marquis of Salisbury.—(Received February 21.)

(No. 10.)

My Lord,

Tunis, February 14, 1890.

WITH reference to my despatch No. 9 of the 12th instant, I have discovered that the Petition of British subjects, complaining of the Administration and Tribunals of the French Protectorate, has already been forwarded to your Lordship, and that a copy of the document has fallen into the hands of the Italian Consul-General, who has communicated the contents to his Government under the erroneous impression that it was forwarded to your Lordship through my medium.

A certain member of the Committee, whom I believe to have been the principal agitator, not only in this but in many former troublesome questions, has also kept the German Consul informed of the proceedings, and shown him a copy of the Petition.

The decision of the Committee to submit their grievances direct to your Lordship must have been purposely kept very secret from this Consulate, as the Maltese gentlemen employed there are generally aware of all that goes on in their own community, and they were equally surprised with myself to learn the course that had been adopted.

I have, &c.

(Signed)

R. DRUMMOND HAY.

No. 11.

Foreign Office to Consul Drummond Hay.

(No. 8.)

Sir,

Foreign Office, February 23, 1890.

I AM directed by the Marquis of Salisbury to transmit to you herewith the substance of a despatch to Her Majesty's Ambassador at Rome, and I am to instruct you to inquire whether there is any truth in the statement therein referred to.

I am, &c.

(Signed)

P. CURRIE.

Inclosure in No. 11.

Substance of Despatch from the Marquis of Salisbury to the Marquis of Dufferin, No. 23.

ITALIAN Ambassador asks whether Her Majesty's Government have information respecting intimation given by French authorities at Tunis to eighteen villages in Gebel Nabout, belonging to Tripoli, to cease paying tribute to Turkey, and consider themselves subject to French authorities at Tunis. Sheikhs of district said to have complained in Tripoli.

No. 12.

Foreign Office to Consul Drummond Hay.

(No. 4.)

Sir,

Foreign Office, February 23, 1890.

I AM directed by the Marquis of Salisbury to transmit to you the accompanying copy of a Memorial addressed to his Lordship by the British Colony in Tunis,* and referred to in your despatch No. 9 of the 12th instant, complaining of certain taxes imposed upon the community since the establishment of the French Protectorate, and I am to instruct you to furnish his Lordship with a Report upon the question.

I am, &c.

(Signed)

P. CURRIE.

* British Colony in Tunis, December 24, 1889.

Foreign Office to British Colony in Tunis.

Gentlemen,

Foreign Office, February 28, 1890.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your Memorial of the 26th December last, complaining of certain taxes imposed upon the inhabitants of Tunis since the establishment of the French Protectorate, and I am to state to you that Her Majesty's Consul has been instructed to report upon the question.

I am, &c.
(Signed) P. CURRIE.

Consul Drummond Hay to the Marquis of Salisbury.—(Received March 8.)

(No. 18.)

My Lord,

Tunis, February 27, 1890.

WITH reference to my despatch No. 1 of the 8th ultimo, I have the honour to transmit to your Lordship herewith an extract from the telegrams of "La Dépêche Algérienne" newspaper, dated the 23rd instant, reporting that the works of the Bizerta jetty are being actively pushed forward, and that every preparation has been made for the rapid advancement of the works and the transport of the blocks intended for the prolongation of the jetty.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 14.

Extract from "La Dépêche Algérienne" of February 25, 1890.

Tunis, le 25 Février, 9 h. 15, soir.

D'APRÈS les assertions d'une personne compétente, arrivant de Bizerte, il paraîtrait que les travaux de la jetée du port sont poussés activement. Tous les préparatifs sont faits pour l'avancement rapide des travaux et le transport des blocs destinée à la jetée extérieure.

Consul Drummond Hay to the Marquis of Salisbury.—(Received March 14.)

(No. 21.)

My Lord,

Tunis, March 8, 1890.

WITH reference to my despatch No. 16 of the 27th ultimo, I have the honour to transmit to your Lordship an interesting account of Bizerta, contributed by M. Paul Bourde to the "Temps" and to "La Dépêche Tunisienne."

In expressing his views as to the future of Bizerta, M. Bourde says that when the lake is made accessible from the sea, the port will become one of the largest in the world, where 30,000 ships of gigantic dimensions could be collected.

By a cutting of merely 2 kilom., the small fishing port will be transformed into an immense harbour on one of the great commercial routes of the globe.

M. Bourde then dwells on the relative importance to navigation of Bizerta and Malta from a commercial point of view, and gives the latter the title of the "Capital of Contreband in the Mediterranean."

He concludes by adverting to the political side of the question, and after stating that Bizerta could become a second Toulon, he points out that the French Government has always reserved its right to create a commercial port, and that England, as the most interested Power, has raised no opposition to such a course.

I have, &c.
(Signed) R. DRUMMOND HAY.

Extract from "La Dépêche Tunisienne" of March 7, 1890.

EN TUNISIE: EXCURSION À BIZERTE.—Quel sera l'avenir de Bizerte?

Depuis qu'elle a de nouveaux maîtres, on a fait à son sujet des songes grandioses. La mer devant elle est profonde, le lac et son bras derrière elle sont profonds aussi. Coupez ce cordon qui les sépare et le lac rendu accessible devient un port ouvert à ces navires qui passent le plus grand port de la Méditerranée, l'un des plus grands ports du monde, un port où s'abriteraient 30,000 de ces paquebots géants que l'on construit aujourd'hui, c'est-à-dire une flotte que toutes les nations de la terre ensemble ne pourraient probablement jamais réunir.

Le travail serait insignifiant, juste 2 kilom. de canal à creuser dans le sable, pas plus.

Deux kilom. de canal et le petit port de pêcheurs se transforme en un de ces entrepôts privilégiés où se nouent les grandes routes commerciales du globe; il devient une autre Malte populeuse, affairée et bruyante. Les 5,000 navires qui touchent à Malte chaque année sont obligés, en effet, de passer devant lui et Bizerte, port franc, en détournerait certainement une part.

Dans cette concurrence, Malte aurait pour elle les habitudes contractées que l'on ne change qu'à la longue, la perfection où est poussé l'outillage de son port, sa situation de possession Anglaise attirant de préférence les navires Anglais plus nombreux que tous les autres, l'organisation qui en fait la capitale de la contrebande dans la Méditerranée.

Mais Bizerte aurait pour elle d'être, entre Gibraltar et Port-Saïd, sur une ligne plus courte de 50 milles, faisant gagner, par conséquent, quatre ou cinq heures; elle aurait d'offrir une relâche de jour aux navires que les hasards de leur route ne mèneraient à Malte que pendant la nuit; elle aurait sa situation continentale qui la met en relation immédiate avec tout le nord de l'Afrique, les approvisionnements faciles qu'elle tirerait de son territoire fertile et de son lac poissonneux, le commerce régional alimenté par les bestiaux et les céréales de la plaine de Mateur et de la vallée de la Medjerdah, les minerais, le liège et les écorces de la Khroumirie et du pays des Mogods.

Le port de Bizerte était un des avantages qui rendaient la Tunisie désirable. Et devant la petite ville, où rien n'est changé depuis huit ans, je me pose encore une fois cette question: si ce n'est pas pour tirer parti de ces avantages, pourquoi sommes-nous dans ce pays? Qu'y faisons-nous?

Bizerte eût pu devenir un admirable port militaire, le pendant de Toulon, dans cette Afrique où sur tant de lieues de côte Française nos flottes de guerre n'ont pas un abri. Notre diplomatie a déclaré en 1881 que nous n'y pensions pas pour le moment (jusqu'à quel point cette sorte d'engagement était nécessaire, je suis incompetent à en juger), mais elle a en même temps formellement réservé notre droit d'y créer un port de commerce.

La principale intéressée, l'Angleterre, qui pouvait redouter ce voisinage pour Malte, n'y a point fait d'opposition. "Je ne crois pas nécessaire d'approfondir la question de l'importance possible de Bizerte comme port de commerce," disait Lord Granville dans une dépêche du 20 Mai, 1881. "Je me bornerai à cette observation que si le canal entre la mer et le lac était creusé assez pour donner accès aux grands navires, les bâtiments Britanniques auraient, d'après le Traité de 1875, le droit d'en faire usage sans être soumis à des droits supérieurs à ceux des navires Français et Tunisiens."

On nous laissait libre. Pourquoi ne faisons-nous rien?—P. BOURDE, du "Temps."

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received March 26.)

(No. 22. Confidential.)

My Lord,

Tunis, March 18, 1890.

WITH reference to my despatch No. 21 of the 8th instant, I have the honour to inform your Lordship that experimental borings lately made by French engineers to a depth of 12 metres on the site of the proposed canal at Bizerta have shown that, with

the exception of some chalk deposits about 8 metres deep, the soil is all composed of sand.

The jetty when completed will be 500 metres long, and the works now extend to about 200 metres.

I have also learnt that the construction of two forts will be shortly commenced upon the heights dominating the port and the future canal. Although my informant was unable to vouch for the accuracy of the latter statement, I beg to submit that the information conveyed to your Lordship in my despatch No. 1, Confidential, of the 8th January last, which was obtained from a totally different source, gives good reasons for believing that there is some truth in the report.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 17.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received March 28.)

(No. 28.) P.
My Lord,

Tunis, March 20, 1890.

WITH reference to your Lordship's despatch No. 3 of the 28th February last, transmitting to me the substance of a despatch from Her Majesty's Ambassador at Rome, and instructing me to inquire whether there is any truth in the statement therein referred to, I have the honour to inform your Lordship that the French military authorities instituted an inquiry about four months ago regarding the robberies of cattle committed by the frontier tribes.

Negotiations were entered into with the Sheikhs of Tripoli which were of a friendly character, and which resulted in the restitution from both sides of the animals stolen. Several Tripoli Sheikhs were informed, when they came to Gabes in order to recover their property from the Weraima tribe, who inhabit territory to the north-east of Gebel Nalout, that if they submitted their complaints direct to the Tunisian authorities they could always rely on obtaining justice in any questions of a similar character that might arise in the future.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 18.

The Marquis of Salisbury to Count Tornelli.

M. l'Ambassadeur,

Foreign Office, March 31, 1890.

ON the 27th January your Excellency inquired whether Her Majesty's Government had any information respecting an intimation said to have been given by the French authorities at Tunis to the inhabitants of eighteen villages in Gebel Nalout belonging to Tripoli, to the effect that they should cease to pay tribute to the Turkish Government, and should consider themselves subject to the French authorities at Tunis.

I have now the honour to inform your Excellency that from a despatch which I have received from Her Majesty's Consul at Tunis, it would appear that the Report which reached the Italian Government must have originated under the following circumstances:—

About four months ago an inquiry was instituted by the French military authorities as to certain robberies of cattle committed by the frontier tribes.

The negotiations with the Tripoli Sheikhs were of a friendly character, and terminated in the restitution of the stolen animals from both sides.

On the arrival of several Tripoli Sheikhs at Gabes to recover their property from the Weraima tribe, who inhabit the country to the north-east of Gebel Nalout, they were informed that they could always rely on obtaining justice in any future question of a similar character, by submitting their complaints direct to the Tunisian authorities.

I have, &c.
(Signed) SALISBURY.

No. 19.

Consul-General F. R. Drummond Hay to the Marquis of Salisbury.—(Received April 1.)

(No. 1)

My Lord,

Tripoli, March 20, 1890.

IN acknowledging the receipt by me yesterday of Sir Philip Currie's despatch No. 1 of the 28th ultimo, transmitting a copy of a despatch to Lord Dufferin* respecting rumoured French encroachments on Tripoli, I have the honour to inform your Lordship that the report that the French authorities had intimated to the inhabitants of eighteen villages in Gebel Nalout belonging to Tripoli that they should cease to pay tribute to the Turkish Government, and should consider themselves subject to the French authorities at Tunis, and that the Sheikhs of the district in question had gone to Tripoli to complain, is incorrect. The Vali has no information on the subject, and no complaints have been made by any Sheikhs.

What may have given rise to the report received by the Italian Government is, that a short time ago the Vali summoned the Sheikhs of a group of villages, "El Dhaiba," near Nalout, to come to Tripoli and produce the title-deeds issued by the Tripoli authorities some hundreds of years ago, proving their title to the lands held by them in and near these villages. The Vali has kept possession of these title-deeds to prevent their falling into the hands of the French, and to serve in the future as a proof that these villages and adjoining country are on Tripoli territory.

In 1887, as reported by me to Her Majesty's Ambassador at Constantinople in my Confidential despatch of the 16th July of that year, the French military authorities in Tunis made a Map of that country, in which the frontier was marked as extending considerably into Tripoli territory. The Vali has lately obtained one of these Maps, from which it appears that the Tunis frontier is marked as extending from 30 to 50 miles into Tripoli territory, and to include within its limits the villages of "Dhaiba." Although the encroachment is as yet only one on paper, the Vali considers the Map may be taken as an indication of the intention of the French eventually to extend their frontier and encroach on Tripoli territory, and therefore took the step I have mentioned.

I would beg to suggest the advisability of this Consulate-General being furnished with the Map made by the French Government, as it would be very useful in defining the exact spot with respect to which any question may arise in the future. The Map is entitled "Carte de la Tunisie, dressée au Service Géographique de l'Armée, 1889."

I have, &c.
(Signed) F. R. DRUMMOND HAY.

No. 20.

The Marquis of Salisbury to Count Tornelli.

(Confidential.)

M. l'Ambassadeur,

Foreign Office, April 3, 1890.

WITH reference to my note of the 6th ultimo respecting the rumours which had reached the Italian Government of French encroachments on Tripoli, I have the honour to inform your Excellency that Her Majesty's Consul-General at Tripoli confirms the view taken by Her Majesty's Consul at Tunis, that the rumours in question are not well founded. The Vali of Tripoli has no information on the subject, and the Sheikhs of the district referred to have not made any complaints.

Mr. Drummond Hay thinks the report may have originated in the fact that a short time ago the Vali summoned the Sheikhs of a group of villages called "El Dhaiba," near Nalout, to come to Tripoli and produce the title-deeds issued by the Tripoli authorities some hundreds of years ago, proving their title to the lands held by them in and near these villages. The Vali kept these title-deeds in his possession to prevent their falling into the hands of the French, and to serve in the future as a proof that these villages and adjoining country are on Tripoli territory.

In 1887 the French military authorities in Tunis made a Map of that country, in which the frontier was marked as extending some 30 to 50 miles into Tripoli territory, and including within its limits the villages of "Dhaiba." It was in consequence of this that the action of the Vali above referred to was taken.

I have, &c.
(Signed) SALISBURY.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received April 7.)

(No. 24.)

My Lord,

Tunis, March 31, 1890.

WITH reference to my despatch No. 4 of the 18th January last, I have the honour to report to your Lordship that M. Massicaut, who returned here yesterday from Paris, has been promoted to be Minister Plenipotentiary of the first class.

This mark of approval from his Government will undoubtedly strengthen M. Massicaut's hands considerably in dealing with the discontented French colonists who have complained of his administration and the policy pursued by the Government of the Protectorate as being opposed to the interests of trade and agriculture in the Regency.

I have, &c.

(Signed) R. DRUMMOND HAY.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received April 7.)

(No. 25.)

My Lord,

Tunis, April 3, 1890.

I HAVE been confidentially informed by M. Machiavelli, the Italian Consul-General, that he has good reasons for believing that the Beylical Government intends to concede the Bizerta Lake fisheries to French subjects at the expiration on the 11th May next of the present Concession which is held by Signor Gattierez, an Italian subject. The new concessionists, M.M. le Sueur and Thompson, the former a Senator and the latter a Deputy of the French Chambers, have undertaken to construct for the Beylical Government a commercial port, and to open up the Lake of Bizerta to navigation for a sum of 9,000,000 fr.

The Bizerta fisheries were formerly let by public auction for a term of three years, the Government reserving to itself the right of renewing the Contract in favour of the holder at the expiration of the said term. This custom was adhered to until last year, when Signor Gattierez was informed that the fishing rights would be extended to him for one year only.

I have also learnt from a different source that the proposed Concession for the Bizerta fisheries and commercial port was drafted at Paris with the approval of the Minister of Marine, and that its terms are such that foreigners will be excluded from any benefit to be derived from the new arrangements.

I have, &c.

(Signed) R. DRUMMOND HAY.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received April 7.)

(No. 26. Confidential.)

My Lord,

Tunis, April 2, 1890.

WITH reference to my despatch No. 13, Confidential, of the 21st February, and to No. 25 of this date, I have the honour to report to your Lordship that M. Machiavelli stated to me in the course of our conversation regarding Bizerta that he had been informed, on what he believed to be reliable authority, that the land surrounding the Goletta mouth of the Tunis Canal will be reserved for "purposes of a military character," such as barracks, hospitals, artillery park, and stores.

I am also enabled to inform your Lordship that the Beylical Government is negotiating with a French Corsican subject for the purchase of the hill at Radès which commands the entrance to the canal.

I believe the report to be well founded, as the owner of the land has confided the matter to a British subject, to whom he is desirous of making a nominal transfer in order that a low price may not be imposed upon him by the authorities.

This information strengthens my belief in the reports received by M. Machiavelli regarding Goletta.

I have, &c.

(Signed) R. DRUMMOND HAY.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received April 22.)

(No. 27.)

My Lord,

Tunis, April 12, 1890.

WITH reference to my despatch No. 26, Confidential, of the 2nd instant, I have the honour to inform your Lordship that a Beylical Decree was published in the "Journal Officiel Tunisien" of the 3rd instant, of which I inclose an extract, ordering the expropriation of certain plots of land situated at Radès, in conformity with a Report of the Minister of War, dated the 26th December, 1889, relative to the expropriation of lands required for the formation of a road leading to the works in construction at Radès.

Article 3 of the Decree states, moreover, that "the Minister of War is charged with the execution of the works."

This official announcement of the expropriation of the heights of Radès for military purposes appears to confirm the reports I have already submitted to your Lordship.

I have been also informed that a sum of 150,000 piastres, equivalent to 37,500 fr., has been found by the Beylical Government for the purchase of the land at Radès. The works will be conducted by officers of the French Engineers, who have already arrived in Tunis.

I have, &c.

(Signed) R. DRUMMOND HAY.

Inclosure in No. 24.

Extract from the "Journal Officiel Tunisien" of April 3, 1890.

Décret du 9 Chaban, 1307 (29 Mars, 1890).

Locaux à Dint !

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunisie,

Vu le Décret du 20 Moharrem, 1275, au sujet de l'expropriation pour cause d'utilité publique;

Vu le Rapport de notre Ministre de la Guerre en date du 26 Décembre, 1889, et relatif à l'expropriation des terrains nécessaires à la construction du chemin d'accès à l'ouvrage en construction à Radès.

Nous avons pris le Décret suivant :

Article 1^{er}. Sont expropriés pour cause d'utilité publique les parcelles de terrain situées à Radès numérotées 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, et 15 sur le plan ci-joint et dont les propriétaires présumés sont :

Parcelle No. 4, Hassain-el-Harmel.	Parcelle No. 10, Jama Zitouna.
" " 5, Marabout de Sidi-bou-Ava.	" " 11, Salah Chrita.
" " 6, Sadik-el-Bendri.	" " 12, El Bey.
" " 7, Galloula.	" " 13, Habbous.
" " 8, Soliman Schub.	" " 14, El Bey.
" " 9, Hadj-el-Arbi.	" " 15, Sacripanti.

Art. 2. L'expropriation sera poursuivie conformément au Décret du 20 Moharrem,

1275.

Art. 3. Notre Ministre de la Guerre est chargé de l'exécution du présent Décret.

Vu pour promulgation et mise à exécution.

Tunis, le 29 Mars, 1890.

Le Consul de France, Délégué à la Résidence Générale de la République Française,
(Signé) E. REGNAULT.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received April 22.)

(No. 23.)

My Lord,

Tunis, April 14, 1890.

WITH reference to my despatch No. 25 of the 2nd instant, I have the honour to transmit to your Lordship herewith an extract from the "Journal Officiel Tunisien" of the 10th instant, containing a Beylical Decree fixing the limits of land to be applied for maritime purposes on the borders of the Lake of Bizerta, and also along the sea-shore.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 25.

Extract from the "Journal Officiel Tunisien" of April 10, 1890.

Décret du 1^{er} Chaban, 1307 (21 Mars, 1890).

Loisances à Dieu.

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunis,
Vu le Décret en date du 8 Moharrem, 1305 (26 Septembre, 1887), réglant les formalités à suivre pour la délimitation du domaine public,
Vu le procès-verbal de la Commission de Délimitation nommée par Arrêté du Directeur-Général des Travaux Publics en date du 5 Décembre, 1888;
Sur la proposition du Directeur-Général des Travaux Publics;

Nous avons pris le Décret suivant:

Article Unique.—Les limites du domaine public maritime sont et demeurent fixées conformément à la ligne brisée tracée en vermillon, avec l'indication: "Limite du domaine public maritime" sur le plan annexé au présent Décret.

1. Le long du rivage du Lac de Bizerte, à partir du pont Bab-Tounis jusqu'à environ 2,500 mètres, rive sud, et 2,000 mètres, rive nord;

2. Le long du rivage de la mer à Bizerte, sur environ 2,000 mètres mesurés au sud-est et à partir du fort de Sidi-Salem.

Vu pour promulgation et mise à exécution.
Tunis, le 22 Mars, 1890.

Le Consul de France, Délégué à la Résidence Générale
de la République Française,
(Signé) R. REGNAULT.

No. 26.

The Earl of Lytton to the Marquis of Salisbury.—(Received April 23.)

(No. 156.)

My Lord,

Paris, April 18, 1890.

I HAVE the honour to inclose herewith an interesting despatch addressed to me by Colonel Talbot, Military Attaché to this Embassy, giving the result of his observations during a recent visit to Tunis and Algiers.

Colonel Talbot's opinion as to the future effect, in the event of war, upon our communications with the East of the fortifications recently erected along the Algerian seaboard are especially worthy of attention.

I have, &c.
(Signed) LYTTON.

Inclosure in No. 26.

Colonel Talbot to the Earl of Lytton.

Paris, April 15, 1890.

My Lord,

I HAVE lately returned from a short visit to Tunis and Algeria, and I venture to trouble your Excellency with a few observations.

The French have practically completed the work of strengthening the sea defences on the Algerian coast, and now possess a line of efficiently protected harbours, armed with heavy guns, which will afford refuge, in varying degree, for their war-vessels from an enemy's fleet.

The projected works at Tunis and at Bizerta will add enormously to the power of the French navy. It is difficult to overrate the value of these ports when completed, commanding the narrow seas between Africa and Sicily, and affording a base from which, in the absence of our fleet, Malta might be menaced, if not blockaded, and, in any case, rendering the passage of supplies extremely difficult.

The position of France in the Mediterranean is incomparably more powerful than it has been at any previous time, greatly strengthened as it is by what has been accomplished on the African coast. Her tactics in the event of war, no doubt, would be to avoid a general action. Her war-ships and armed cruisers would take advantage of the numerous harbours and sail out and attack whenever a favourable opportunity occurred, retiring under the protection of their guns when met by superior forces.

In this way our line of communications between Gibraltar and the East would be constantly threatened, probably on occasions even broken.

The principle that has been adopted with regard to the defence of the Algerian harbours is to substitute a few heavy guns for the numerous shore batteries of guns of light calibre. These guns are mounted in commanding positions, covering the approach from the sea and protecting the torpedo-fields which will be placed at the entrance of the ports.

As a rule, little has been done to strengthen the land defences, which in most cases are only intended to resist the attack of a force without artillery.

At Tunis a ship-canal, of sufficient depth for vessels of any tonnage, is being constructed across the shallow sea-lake from La Goulette to the city of Tunis. Considerable progress has been made, about one-third of the work being already finished. The torpedo-harbour at La Goulette is completed, and the two breakwaters at the entrance of the port are far advanced. It is intended to construct a naval dockyard and docks and wharves for merchant shipping at the end of the lake under the city of Tunis. The Tunisian Government are negotiating for the purchase of land at Radès, upon which formidable works will be erected, covering the entrance of the harbour at La Goulette.

At Bizerta little has been done, but the plans are prepared and the ground marked out for cutting a canal through the narrow spit of sand which separates the Lake of Bizerta from the sea. It is said that the terms of the contract have already been arranged. There were signs that before long operations would be commenced, which up to now have only been delayed by the fear of offending Italian or British susceptibilities.

When the channel has been cut, and some necessary dredging in the shallow portion of the lake and on the coast has been effected, Bizerta will become one of the finest harbours in the world, with an anchorage of 50 square miles for the largest vessels afloat.

A great element of security in both the harbours of Tunis and Bizerta is the distance from the sea to the head of the lakes, in both cases over 6 miles. There is consequent immunity for ships and docks from the fire of vessels at sea. On the other hand, the narrow and exposed entrance to these harbours would render the blockade of them comparatively an easy task.

All the money to be spent in constructing the harbour and the works at Tunis is to be furnished by the Bey's Government, and no doubt this will also be the case at Bizerta. The works can therefore be effected without any reference to the French Chamber, which might be disposed to object to the considerable expenditure if it had to be provided for in the French Budget.

The Protectorate of Tunis is in a perfectly tranquil state. The inhabitants, descendants of the Berbers, have always been sedentary and peaceable, and, since the French occupation, have shown no signs of any power, nor of any very strong desire, to emancipate themselves from foreign interference. The French are nevertheless

(Signed) I have, &c. R. TALBOT, Colonel,
Military Attaché.

WITH reference to my despatches No. 25, Confidential, and No. 26 of the 22nd and 14th instant, M. Machisvelli has to-day informed me that the Beylical Government has concluded an agreement with MM. Le Sueur and Hersend, French subjects, for the execution of the maritime works at Biserta for a sum of 9,000,000 fr., which is

I have, &c.
(Signed) R. DRUMMOND HAY.

April 21, 1890.

The following Resolutions were proposed and carried almost unanimously —

1. That an Elective Council be accorded to the French Colony in Tunisia.
2. That the Council be elected by universal suffrage amongst French citizens who have resided one year in the Regency.

Texas, April 20, 1890.

It was, moreover, decided to communicate the results of the meeting to the Resident-General and to the Government of the Republic, together with a Petition to the Minister for Foreign Affairs to hasten the vote of the Chambers in favour of the new Customs Tariff, and to allow the Colony to be represented by an Elective Assembly for the development of French colonization in the Regency.

Only three persons spoke at the meeting, of whom two were in favour and one against the proposed measures.

The dissentient speaker was M. Lecore-Carpentier, editor of the "Dépêche Tunisienne," the official organ of the Residency, who argued that an Elective Council, acting in conjunction with the Resident-General, who also fulfils the functions of Minister of the Beylical Government and Political Agent of the French Government, would be inadmissible.

He stated that the Resident is here to represent France, receiving his instructions on diplomatic questions from his Government, and that in such a capacity he is able to act with authority in dealing with the Beylical Government.

M. Lecore-Carpentier concluded his speech by stating that the day will undoubtedly arrive when the French Colony will have to be represented at the Residency and in the Tunisian Government, but for the present it is the duty of French citizens to acknowledge international and many other considerations which do not admit of such innovations.

I beg to inclose a copy of the Minutes of the meeting, extracted from "La Dépêche Tunisienne" newspaper.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 29

Extract from "La Dépêche Tunisienne" of April 27, 1890.

UNE réunion publique, ayant pour but l'émission d'un ordre du jour en faveur de la création d'un Conseil Colonial élu, a eu lieu hier soir au Restaurant Barrère.

M. Georges Martin, Député de la Seine, assistait à cette réunion en simple spectateur.

Après une discussion très courtoise, le vœu suivant, présenté par les organisateurs de la réunion, a été voté à l'unanimité:—

"Les citoyens Français résidant à Tunis réunis en assemblée générale le 26 Avril, 1890;

"Considérant que, jusqu'en 1884, la Colonie Française de la Régence a été représentée auprès du Consul de France par deux Délégués, appelés 'Députés de la Nation';

"Que cette institution n'a jamais été légalement supprimée, et que, par conséquent, elle existe encore en droit, bien qu'en fait elle ait cessé d'être;

"Qu'il importe de la faire revivre pour resserrer les liens qui doivent unir la Colonie à la Résidence, et pour donner à nos nationaux un moyen légal de porter leurs vœux à la connaissance du Ministre de France;

"Considérant que, depuis 1884, la colonisation Française a pris une extension considérable, et que, dès lors, il est nécessaire de modifier, dans un sens plus conforme aux idées modernes, l'ancienne institution des Députés de la Nation;

"Que, notamment, le nombre de nos Représentants doit être proportionné à l'importance de la Colonie et porté de deux à douze, pris dans les différents centres Français de la Régence;

"Que le suffrage restreint, ne répondant pas au principe d'égalité qui est la base du Gouvernement de la République, doit être remplacé par le suffrage universel;

"Qu'il n'y a pas de raisons, en effet, pour que des citoyens Français, jouissant dans leur patrie de leurs droits politiques, ne soient pas électeurs dans une Colonie où ils résident depuis un certain temps, depuis un an par exemple,

"Considérant que ni le Traité du Bardo ni les Traités étrangers ne peuvent s'opposer à ce que la France remette en vigueur une institution qui existait lorsque ces Traités ont été signés, et qui est tombée en désuétude par le hasard des circonstances et non à la suite d'une entente diplomatique;

"Considérant que la création d'un Conseil dont les membres seraient choisis par M. le Resident-Général, n'atteindrait pas le but que poursuit la Colonie,

"Qu'un tel Conseil ne représenterait personne, et qu'il n'aurait ni l'autorité ni

l'indépendance nécessaires pour discuter les intérêts de la Colonie, que, par conséquent, il n'amènerait pas la disparition de défiances que tout le monde voudrait voir cesser;

"Qu'au contraire il aggraverait la situation actuelle en fortifiant encore un pouvoir déjà trop absolu et trop peu contrôlé,

"Par ces motifs:

"Émettent le vœu

"Qu'il soit accordé à la Colonie Française de Tunisie, sous forme de Conseil de Résidence ou de la nation, une représentation élue auprès de M. le Ministre de France;

"Que cette représentation soit nommée par le suffrage universel, c'est-à-dire par tous les citoyens Français jouissant de leurs droits politiques en France et habitant la Régence depuis un an;

"Que dans le cas où le principe de l'élection ne serait pas admis, il ne soit pas créé un Conseil nommé par le Gouvernement,

"Décident que ce vœu sera transmis par le Bureau de la réunion à la Résidence de Tunis et au Gouvernement de la République, et supplient instamment M. le Ministre des Affaires Étrangères—

"1. De hâter dans la limite du possible le vote par les Chambres du nouveau projet Douanier, qui fera cesser la crise présente;

"2. D'accorder à la Colonie une représentation élue qui pacifiera les esprits et permettra à la colonisation Française de se développer dans la Régence en toute sécurité"

No. 30.

Foreign Office to Consul Drummond Hay.

(No. 6.)

Sir,

I AM directed by the Marquis of Salisbury to transmit to you the accompanying letter from Signor Lorenzo T. Bartolo,* together with its inclosures, complaining of the action of the Tunisian Courts; and I am to instruct you to furnish his Lordship with a Report upon the matter.

Signor Bartolo has been informed that his letter has been referred to you. At the same time, he has been told that complaints of this nature should be addressed to Her Majesty's Consul, who will report them to Her Majesty's Government, if he thinks it necessary.

I am, &c.
(Signed) P. CURRIE.

No. 31.

Foreign Office to Signor Bartolo.

Sir,

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your letter of the 21st ultimo, complaining of the action of the Tunisian Courts.

I am to state that your letter has been referred to Her Majesty's Consul at Tunis, and to add that complaints of this nature should be addressed to that officer, who will report them to Her Majesty's Government if he thinks it necessary.

I am, &c.
(Signed) P. CURRIE.

No. 32

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received May 13.)

(No. 31)

My Lord,

I HAVE the honour to report to your Lordship that the British Consular Agent at Bizerta has furnished me with information regarding the maritime works and fisheries of that port, which confirms my former despatches on the subject.

[408]

* See No. 25.

G

He states that he has seen the plan of the "Commercial Port," which will be separated from the rest of the lake by a stone barrier, constructed at a distance of 300 metres from land. A large basin will be thus reserved for shipping, and the fisheries of the lake will remain undisturbed.

Agents of the contractors are employed in buying up all lands bordering the lake on the projected site of the harbour; and they are also collecting materials for the construction of a second jetty to protect the mouth of the new canal.

Preparations are being further made for the erection of new barracks to the west of the town, as reported to your Lordship in my despatch No. 1 of the 8th January last.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 33.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received May 13.)

(No. 32.)

My Lord,

Tunis, May 8, 1890.

WITH reference to my despatch No. 31 of the 6th instant, I have the honour to transmit to your Lordship herewith a translation of an extract from a letter addressed by the Italian Consular Agent at Bizerta to M. Machiavelli, which the latter has been good enough to communicate to me, as containing interesting information regarding the preparations for the construction of the port and opening of the new canal.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 33.

The Italian Consular Agent at Bizerta to the Italian Agent and Consul-General at Tunis.

(Translation.)

(Extract.)

Bizerta, May 6, 1890.

... Lands belonging to several native proprietors in the vicinity of the military quarters have been expropriated by the local authorities for the construction of huts. The French Captain of Engineers, who is appointed as surveyor and superintendent of works, has arrived and taken up his quarters in the fortress.

A large quantity of lime and building materials have also arrived, and the above-mentioned works were commenced to-day.

About 30 masons, 30 cart drivers, and 30 Italian workmen are now employed, besides about 50 soldiers.

Yesterday, several European as well as native owners of land situated on the new opening were summoned by the Governor, and he read to them a Beylical Decree which empowers M. Conoreux, the contractor of the works of the new port, to expropriate, without exception, all holders of lands he may consider necessary for the aforesaid port.

He also showed them the plan of the new canal, the opening of which appears to be about 220 metres wide, besides the embankment, from the sea to the lake.

Commissioners have been named to fix the limits of the new port in the Great Lake, and to expropriate all lands included in the said limits.

It is also rumoured that a fortress will be constructed to dominate the new canal and the lake.

No. 34.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received May 13.)

(No. 33.)

My Lord,

Tunis, May 8, 1890.

WITH reference to my despatch No. 32 of this date, I beg to state that I hope to be able to furnish your Lordship in the course of a few days with a description of the proposed new port at Bizerta.

I have found that the information which I extracted from the British Consular Agent, as reported in my despatch No. 31, is wanting in accuracy and detail. This is not surprising, as M. Spezzetino is the agent of the French Transatlantic Steamship Company, and is therefore interested in giving a purely commercial colouring to the undertaking.

I have since ascertained that the "basin to be reserved for shipping" will be of larger dimensions, and that the "barrier" dividing the fisheries from the port will be situated much further into the lake than he had led me to suppose.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 35.

Sir A. Paget to the Marquis of Salisbury.—(Received May 16.)

(No. 126. Confidential.)

My Lord,

Vienna, May 13, 1890.

IN an interview I had with Count Kalnoky to-day, his Excellency read me a despatch, dated the 3rd instant, from the Austro-Hungarian Consul in Tunis, the substance of which, at the risk of repeating what is already known to your Lordship, I think it my duty to report.

The Consul states that it has now been decided by the French Government to render navigable the canal which unites the Mediterranean with the Lake of Bizerta. The works, which present no technical difficulties, are to be begun at once, and it is estimated that they can be completed in from three to six months, at a cost of 9,000,000 fr. The depth of the canal is to be 12 metres, so as to admit of the passage of the largest ships, and though the avowed purpose is to create in the Lake of Bizerta, where there is a depth of water of above 20 metres, simply a commercial port, the Consul does not doubt its being the intention to convert it eventually into a military port as well.

The contract has been granted to a French Senator, M. Lepener, and another gentleman whose name I did not accurately catch, associated with him. No subsidy is to be paid by the Government, but the concessionnaires are to have the monopoly of fishing and certain other privileges for a period of seventy-five years.

I have, &c.
(Signed) A. PAGET.

No. 36.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received May 26.)

(No. 35.)

My Lord,

Tunis, May 18, 1890.

WITH reference to my despatch No. 27 of the 12th ultimo, I have the honour to transmit to your Lordship a copy of a Beylical Decree published in the "Journal Officiel Tunisien" of the 15th instant, notifying the expropriation of land situated on the hill of Rhodes, and called "the Height of the Redoubt."

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 36.

Extract from the "Journal Officiel Tunisien" of May 15, 1890.

Décret du 19 Ramadan, 1307 (8 Mai, 1890).

Louange à Dieu.

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunisie,
Sur la proposition de notre Ministre de la Guerre, Commandant la Brigade d'Occupation, tendant à l'expropriation d'un terrain sis à Rhadès au lieu dit Mamelon de la Redoute,

Vu le Décret du 20 Moharrem, 1275.

Nous avons pris le Décret suivant :

Article 1^{er}. Est exproprié pour cause d'utilité publique le terrain présumé domanial situé sur le mamelon de la Redoute de Rhadès indiqué par une teinte verte sur le plan ci-annexé.

Art. 2. L'expropriation sera poursuivie conformément au Décret du 20 Moharrem, 1275.

Art. 3. Notre Ministre de la Guerre est chargé de l'exécution du présent Décret. Vu pour promulgation et mise à exécution :

Le Ministre Plénipotentiaire Résident Général
de la République Française,
(Signé) J. MASSICAULT.

Tunis, le 9 Mai, 1890.

No. 37.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received May 26.)

(No. 36.)
My Lord,

Tunis, May 18, 1890.
WITH reference to my despatch No. 31 of the 6th instant, I have the honour to transmit to your Lordship a copy of a Beylical Decree published in the "Journal Officiel Tunisien" of the 15th instant, notifying the expropriation of land at Bizerta required for the construction of military barracks.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 37.

Extract from the "Journal Officiel Tunisien" of May 15, 1890.

Décret du 19 Ramadan, 1307 (8 Mai, 1890).

Louange à Dieu.

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunis,

Vu le Décret du 20 Moharrem, 1275, au sujet de l'expropriation pour cause d'utilité publique;

Vu le Rapport de notre Ministre de la Guerre, en date du 10 Avril, 1890, relatif à l'expropriation des terrains nécessaires à la construction d'un casernement,

Nous avons pris le Décret suivant.

Article 1^{er}. Sont expropriées pour cause d'utilité publique, les parcelles de terrains situées entre le camp de la porte de l'Ouest et la route de Béja à Bizerte, numérotées 1, 2, 3 sur le plan ci-annexé, et dont les propriétaires sont :—

Parcelle No. 1, Famille Daouda

Parcelle No. 2, Moustapha Elgeta.

Parcelle No. 3, Hamouda Dili.

Art. 2. Notre Ministre de la Guerre est chargé de l'exécution du présent Décret. Vu pour promulgation et mise à exécution :

Le Ministre Plénipotentiaire Résident Général
de la République Française,
(Signé) J. MASSICAULT.

Tunis, le 9 Mai, 1890.

No. 38.

The Marquis of Salisbury to Sir E. Malet.

(No. 167. Confidential.)
Sir,

Foreign Office, May 31, 1890.
COUNT HATZFELDT spoke to me to-day with respect to the fortifications which are supposed to be going on or to be contemplated, at the Tunisian port of Bizerta. He was aware that I had already been spoken to by other Ambassadors on the same subject. Count Trucelli and Count Deym had both, some short time ago, drawn my attention to the subject, and asked me whether I attached any great importance to the operations which were going on, and whether I thought there was any ground in previous diplomatic communications to justify a remonstrance to the French Government. I had replied in each case that my information did not point to undertakings of any great magnitude, and that I doubted if any useful object would be gained by addressing a remonstrance to the French Government upon the subject. Count Hatzfeldt, having heard of these answers from Vienna and Rome, brought the matter to my notice again on Saturday, and asked me confidentially whether the answer I had given was due entirely to the low estimate I had formed of the importance of these proposed works, or whether I had been influenced by any ulterior consideration arising out of the tendencies of the Court of Rome.

I replied that I did not on the whole attach great importance to what was being done, 10,000,000 fr. apparently was to be spent in fortifications upon the heights, and certain, not large, expenditure was to be made in deepening the channel which united the inner harbour with the sea. Nothing at present was being done which indicated the intention of making it an arsenal and maritime fortress where large ships of war could be collected. It might possibly act in time of war as a retreat for torpedo vessels, but, in estimating its importance as a considerable fortress, we must always remember that it was a fortress without a base, and that its ammunition and all its armament, and the greater part of its garrison, with much of their food, would have to be brought across the sea from Toulon. Assuming that in any future war England and Italy remained, as was probable, masters of the sea, it would be impossible to maintain any efficient isolated fortress of this kind, except by means of enormous accumulations of stores which would present many difficulties, and of which there seemed to be no immediate probability. I did not think therefore that any danger attaching to the works at Bizerta was of a kind to cause much solicitude to the present generation.

On the other hand, though I did not refuse to make a representation to the French Government if the other Powers decided on doing so, the proceeding seemed to me to be attended with a certain amount of risk. If we gave the sanction of so formal a step to the idea that these operations were formidable and dangerous, the effect upon the mind of the Italian Government might be such as we should not desire. They might rise to the conclusion that against such preparations it was their duty to take precautions, and that train of reflection might lead them to resolve upon an attack on Tripoli. An attack on Tripoli, committed by a member of the Triple Alliance would certainly throw the Sultan into the arms of Russia, and might very probably be the commencement of that disintegration of the Turkish Empire which we all of us desired to postpone. For us, therefore, the question arising out of these supposed operations of the French at Bizerta were of a complicated kind and, as at present advised, I did not recommend that any notice should be taken of them.

I am, &c.
(Signed) SALISBURY.

No. 39.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received June 2)

(No. 39.)
My Lord,

Tunis, May 24, 1890.
I HAVE the honour to transmit to your Lordship herewith an extract from the French newspaper "La Gazette des Colonies" on the "Development of the Relations of Tunisia with the Metropolis."

[403]

* Not printed.

H

The article is, as far as I am able to judge, a fair exponent of the schemes of the Protectorate in the Regency, the foremost amongst them being the conversion of Bizerta into a first-class naval station similar to Toulon, and the formation of several harbours of refuge for French shipping, such as Tunia, now in course of construction, Tabarca, Suse, Sfax, &c.

The plans for the development of trade and commerce, by the introduction of a reform in the French Import Tariff in favour of Tunisian products, have been mainly brought about by the commercial crisis, and the clamours of disaffected colonists throughout the Regency.

Praise is justly bestowed on M. Massicault for his administrative qualities, and I have reasons to believe that the article correctly expounds his views regarding the method of Government suitable to the country.

I have, &c.
(Signed) E. DRUMMOND HAY.

No. 40.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received June 13.)

(No. 41.)

My Lord,

Tunis, June 7, 1890.

I HAVE the honour to report to your Lordship that the British Vice-Consul at Suse telegraphed to me on the 31st ultimo, stating that two British subjects named Battista and Francesco Grech, father and son, were seized on the 22nd ultimo by the French Commissary of Police at Kairwan on suspicion of robbery, and subjected to most barbarous ill-treatment.

Battista was made fast with thumb-screws, and his son was handcuffed, whereupon they were flogged and bastinadoed on the soles of their feet in the presence of the Commissary and two police constables.

They were afterwards cast into gaol, where they were kept for several days, and the floggings repeated at different intervals.

It is also stated that Battista Grech suffered great tortures from the thumb-screws, and that during the time he and his son were imprisoned they were left without food.

Several other persons were also imprisoned for the same cause, three of whom were Arabs, and one a Maltese named Domenico Sceriba.

The Arabs were all mercilessly bastinadoed.

On receiving the news I lost no time in representing the case verbally to the Resident-General, who informed me that he had already telegraphed to the "Contrôleur Civil" at Kairwan for explanations. Nevertheless, he ordered his telegram to be repeated, with instructions to the "Contrôleur" to answer "Yes" or "No" to his question whether the Commissary had struck, or caused to be struck, Battista Grech or any of the other prisoners.

The "Contrôleur" telegraphed that the Commissary answered in the negative.

The Resident then instructed the Superintending Commissary of Police in Tunis to proceed without delay to Kairwan, and institute a formal inquiry on the case.

The Superintendent started on the 4th instant.

I informed M. Massicault that I was satisfied with the steps he had taken, and trusted that the investigation would be impartially conducted.

Vice-Consul Galea has been instructed to afford his good offices to the British subjects by taking the affidavits of the witnesses who have appeared at Suse, and to proceed himself to Kairwan for the production of the evidence.

I requested him, at the same time, to avoid any direct interference with the official inquiry of the Superintendent of Police into the conduct of his subordinate.

Two medical men, both British subjects, have also gone to Kairwan on behalf of the Maltese Patriotic Society to examine and report on the injuries sustained by Battista Grech.

I gave these gentlemen a letter of recommendation to the British Vice-Consul, but warned them only to examine Battista if they found him still at liberty.

On the 6th instant I received Mr. Galea's Report on the case, including the affidavits of Francesco Grech, Domenico Sceriba, and another Maltese, made in his presence at Suse, and on the same day one of the Arab victims appeared in Tunis and made his affidavit before the British Vice-Consul and three witnesses, which fully coincides with the evidence I have received from Suse.

I beg to inclose, for your Lordship's information, a copy of a letter I addressed the Resident-General yesterday, containing an account of the case collected from the Report of the British Vice-Consul and the statement of the Arab Ali-Mehdy. I shall acquaint your Lordship with the result of the inquiry at Kairwan as soon as it is officially communicated to me by the Resident-General.

I have, &c.
(Signed) E. DRUMMOND HAY.

Inclosure in No. 40.

Consul R. Drummond Hay to the French Resident-General, Tunis.

M. le Ministre,

Tunis, June 6, 1890.

WITH reference to the several verbal communications I have had the honour of making to you regarding the case of the British subject, Battista Grech, and to the steps you have already taken to cause an investigation to be made by the Superintendent of Police of Tunis into the alleged unlawful maltreatment of the said Battista and others by the Commissary of Police at Kairwan, I have to inform you that I have received a Report on the case from the British Vice-Consul at Suse, transmitting to me the affidavits of Francesco, son of Battista Grech, who was imprisoned with his father, and also of two other Maltese, one of whom was seized on suspicion of being an accomplice.

The evidence there collected by the British Vice-Consul shows that Battista Grech and his son Francesco, enlisted by profession, left Suse for Kairwan with their carriage for the purpose of obtaining fares at that place during the Mussulman feast.

On the 22nd May the Commissary of Police seized both father and son on suspicion of being implicated in the robbery of a sum of money belonging to an Arab. They were both placed in chains, the father with thumb-screws and his son handcuffed. Battista Grech was flogged in the presence of his son and other prisoners before the Commissary of Police by the brigadier Casanova. The instrument employed was a "bull's pizzle" ("un nerf de bœuf"). Battista sank under the blows of Casanova, and when the latter grew weary, the flogging was continued by Weld Henegia.

Francesco Grech was then separated from his father and called upon by the Commissary to confess to the robbery, and, on declaring his innocence, he was laid on the ground and flogged on the back and other parts of his body. Traces of the flogging have already been certified to by the British Vice-Consul and two other witnesses. Francesco Grech was then conveyed to prison, where he found himself in the company of Domenico Sceriba (British subject), Ali-Mehdi Tel, and Ali-el-Mehdi. He was subsequently joined there by his father, who appeared with his lip bleeding from a blow dealt by the Commissary of Police.

In the evening of the first day's imprisonment Francesco Grech was removed to a cell containing two Arabs, where he remained four days and three nights without any food being supplied to him. He had to depend for nourishment entirely on the humanity of the Arab prisoners, who happened to have compassion on him.

On the fourth day of their imprisonment Francesco Grech, Domenico Sceriba, and the two Arabs were set at liberty, with orders not to absent themselves from Kairwan, but on the following day, having been summoned by the British Vice-Consul at Suse, Francesco Grech and Domenico Sceriba obtained permission from the Commissary to visit that port on the plea of desiring to see their families.

The British subject, Domenico Sceriba, who owns a wine shop at Kairwan, and was seized and imprisoned on suspicion of being an accomplice of the Grechs, was forced by the Constable Weld Henegia to hand over to him a sum of money, amounting to about 25 piastres deposited with him by Battista Grech. The keys of the shop have been taken from him, and sums of money, amounting to 40 fr. in silver and 15 fr. in copper, were found missing when the police officers searched the shop in his presence on the second day of his arrest.

The evidence collected by the British Vice-Consul also shows that on the second day Ali-el-Mehdi was bastinadoed by Casanova and Weld Henegia. The Arab in his agony cried that he had handed the 400 piastres to Domenico Sceriba. The latter on being told to choose between confession and the bastinado, declared that he had never received any money from Ali-el-Mehdi, but was prepared to draw a bill at one month's sight, as he had no means to pay cash for such an extortion.

Ali-el-Mehdi, on being again interrogated, admitted that he had been driven to make a false statement by the tortures inflicted on him.

One of the witnesses further declares that the police-constable Hemegia entered the prison and informed Battista and his son that they would neither of them quit the place alive if they did not confess to the robbery.

Battista Grech in despair seized a rope in the prison, passed it over his neck, and endeavoured to strangle himself, but was rescued by his fellow prisoners. Battista was then removed in chains by the Commissary of Police and conveyed to another prison.

The British Vice-Consul further reports that Battista Grech, although set at liberty, is not allowed by the Commissary of Police to leave Kairwan, and that the Maltese Colony had made another demonstration at the Vice-Consulate against the arbitrary conduct of that officer.

You are no doubt aware, M. le Ministre, that this grave question has aroused considerable indignation amongst all British subjects in this country, who are now anxiously awaiting the results of the representations I have made to you on the subject.

The British Vice-Consul at Suse, Mr. William Galea, has been informed of the inquiry which has been instituted by your orders, and I have directed him to proceed personally to Kairwan for the production of the evidence in his possession relating on this case.

I have, &c.
(Signed) R. DRUMMOND HAY.

P.S. June 6.—Since writing the above Ali Ben Mohammed-el-Mehdi, one of the persons arrested at Kairwan, has appeared in this town and made a declaration before several witnesses corroborating the statements contained in the evidence collected by the British Vice-Consul at Suse, and adding that he and Battista Grech were flogged repeatedly and kept for four days in prison without food or water. He further states that Battista suffered great tortures from the thumb-screws, which formed suppurating sores on his thumbs.

R. D. H.

No. 41.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received June 17.)

(No. 42.)

My Lord,

Tunis, June 9, 1890.

WITH reference to my despatch No. 41 of the 7th instant, I have the honour to inclose a Memorial addressed to your Lordship by 185 British subjects of Suse, protesting against the barbarous treatment of Battista Grech and other British subjects by the French Commissary of Police at Kairwan.

I have also to acquaint your Lordship that the two doctors returned from Suse to-day, and handed me a certificate showing that the marks of the flogging inflicted on Battista are still evident, and that suppurating sores have been caused by the thumb-screw torture.

Battista arrived by the same steamer, and was met at the railway station of Tunis by several hundred British subjects, who conducted him through the streets to the Consulate. I succeeded in quieting the crowd by assuring them that the case was being carefully investigated, and that they could hand over Battista Grech to the Consulate with full confidence that justice would be done.

The crowd cheered and dispersed without creating any disturbance.

Vice-Consul Galea has now furnished me with the affidavit of Battista, and a letter from him claiming an indemnity for the injuries he has sustained, accompanied by a certificate of good conduct and respectability signed by numerous persons.

It is further reported that the Superintendent of Police returned this morning from Kairwan, having completed his inquiry.

I have, &c.
(Signed) R. DRUMMOND HAY.

P.S. June 9.—M. Balopi, "Commissaire Central de Police" in Tunis, called on me this evening, and stated that he had been directed by the Resident-General to call

on me and report that the appointments of the Commissary of Police at Kairwan and his two subordinates have been cancelled. This prompt action of the authorities will go towards pacifying public feeling.

R. D. H.

Inclosure in No. 41.

Memorial.

(Translation.)

To Her Britannic Majesty's Principal Secretary of State for Foreign Affairs.
Excellency.

THE Undersigned, seeing that the respect due to the members of the Colony to which they have the honour to belong has been violated, consider it their duty to state to you the following—

The affection which Her Britannic Majesty's Government always testifies to its subjects is a guarantee that this protest against the unworthy and inhuman action of the local French authorities at Kairwan towards two Anglo-Maltese subjects will not be thrown away.

On the 21st May last the two coachmen, Battista and Francesco Grech, father and son, left Suse for Kairwan for employment. Three days after they had been there they were suddenly and arbitrarily seized and arrested, on the ground of their complicity in a robbery.

Please note. As the inquiring authority did not succeed in finding proofs against them by legal means, these two unfortunate persons have been, by the Commissary of Police and his subalterns, both in the public street and in the Commissary's house, flogged by bull's pizles, in such a manner as to leave them fainting on the ground. But this was not enough for those zealous functionaries who, not satisfied with their brutality, locked up those unfortunate persons in a stinking prison, and left them for three or four days without supplying them with the least quantity of food. Afterwards they were set at liberty for want of proof.

We may remark that even the Bey's Government, which formerly was considered as barbarous, has abolished a long time ago such proceedings and flogging to its own subjects, and that, in any case, such treatment was not dared to be applied to foreign subjects.

In the place of the Bey's Government, a nation which styles itself in the civilized world as the champion of liberty and civilization, which the French nation pretend to be in this country, allows its own functionaries to commit such nefarious actions. This is horrible!

Your Excellency will easily understand what an indignation such an affair has produced, not only amongst the Anglo-Maltese Colony on account of two of their members, but also amongst the other European Colonies, who unite themselves with us to energetically protest against such barbarous treatment.

We trust in your support, and in that of Her Majesty the Queen's loved Government, and invoke such measures as may give satisfaction to the victims of this painful incident and tranquilize us, together with all the European population, and that a stop be put to similar abuses, contrary to the public interests and exceeding the right of jurisdiction ceded to the French authority in Tunis.

This affair is very serious, and justifies the protest of the Colony. The British Vice-Consul of Suse's Report on the subject will clearly show the particulars of the horrifying facts against which we protest, and we are convinced that the powerful Government of our beloved Sovereign will validly sustain our case and obtain the punishment of the guilty.

(Signed) VINCENZO MASSA.
(Followed by 184 signatures of British subjects
residing at Suse.)

Suse, June 4, 1890.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received June 17.)

Tunis, June 17, 1890, 7-50 P.M.

(Telegraphic.) P.

MY despatch No. 42.

The British subjects claim compensation for brutal treatment from the Bey's Government. I therefore beg your Lordship to authorize me to demand not more than 200l., to be divided between Battista and Francesco Grech.

I fear that the Resident intends to ignore right of interference on my part, as he has not yet replied to my note, of which I sent a copy to your Lordship, and as he states that he is unable, on account of indisposition, to see me.

The two British subjects rely on me for obtaining justice in accordance with my assurance. The question is said to be under the consideration of the Council at Malta.

Foreign Office to Consul R. Drummond Hay.

(No. 7.)

Foreign Office, June 17, 1890.

Sir,

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 41 of the 7th instant in regard to the ill-treatment to which two British subjects, Battista and Francesco Grech, were subjected by the police authorities of Kairwan.

I am to convey to you his Lordship's entire approval of your action in the matter, as reported in your despatch.

I am, &c.
(Signed) P. CURRIE.

The Marquis of Salisbury to Consul R. Drummond Hay.

(Telegraphic.) P.

Foreign Office, June 18, 1890, 4 P.M.

WITH reference to your telegram of yesterday, you should address a note to the French Resident, informing him that Her Majesty's Government have instructed you to ask what indemnity the Bey's Government is willing to grant to the two British subjects in compensation for the violent treatment which they have suffered.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received June 20.)

(No. 44.)

Tunis, June 14, 1890.

My Lord,

WITH reference to your Lordship's despatch No. 6 of the 6th ultimo, I have the honour to transmit to your Lordship herewith a Report on the complaint of Signor Lorenzo T. Bartolo, and to return his letters and inclosures referring to the case.

I have informed Mr. Bartolo that, however erroneous may be the Judgment of the Tunis Tribunal, he should have awaited the final decision of the Court of Appeal before submitting his grievances to your Lordship.

I have, &c.
(Signed) R. DRUMMOND HAY

Report by Consul R. Drummond Hay on the Case of Lorenzo T. Bartolo v. Tunisian Courts.

ON the 20th October, 1884, Mr. L. T. Bartolo let to M. Eugène Demoflys, French citizen, a shop in his house, situated in the Avenue de France, for a term of nine years, at a rent of 3,200 fr. a-year, for a stationery and bookseller's business.

On the 18th October, 1884, he also let to MM. Bussutil and Fargeon, drapers, a shop in the same premises and adjoining that of M. Eugène Demoflys.

Last year (1889), MM. Bussutil and Fargeon removed their business to another house in the same street, and sub-let their shop to Mr. d'Amico, British subject, for a stationery business.

When the said d'Amico took possession of Bussutil and Fargeon's shop, M. Demoflys signified to Mr. Bartolo his objection to the new tenant by a formal protest.

Mr. T. Bartolo replied that he could not be held responsible, as the shop had been sub-let to Mr. d'Amico by MM. Bussutil and Fargeon.

Demoflys thereupon sued Bartolo for breach of contract, and claimed damages to the amount of 15,000 fr.

T. Bartolo at the same time entered a counter-claim against Demoflys:—

That, on the 2nd June, 1887, he (Demoflys) had deposited for sale in the said shop goods of an inflammable nature employed for fireworks in contravention of clause 1 of their contract of the 20th October, 1884.

That Demoflys had promised Bartolo to discontinue trading in such articles.

That, notwithstanding his assurance, their sale had not ceased, as could be proved by witnesses who had purchased fireworks at Demoflys' shop.

Demoflys v. Bartolo.

Finding of Court.

(Inclosure 3 in Signor Bartolo's letter.)

Extracts.

Remarks.

1. ATTENDU que si de principe le droit de propriété confère la faculté d'user et de disposer de sa chose en toute liberté dans les limites que la loi a exposées, il est de principe aussi que ce droit peut être de la part de celui en qui il repose l'objet d'une restriction explicite.

1. ON the 12th June, 1889, a similar question was brought before the same Tribunal (see Inclosure No. 2 in Bartolo's letter), and presided over by the same Judge. The following is a short statement of the case:—

M. Pisani, agent of General Ben Ayad, British subject, had let to MM. Cohen Trionfo, Italians, a shop situated in the Avenue de France (the same street as Bartolo's) for a tailoring business.

Some years after M. Pisani let a shop adjoining Trionfo's to another tailor. MM. Cohen Trionfo sued M. Pisani for breach of contract and 20,000 fr. damages.

The only difference that appears to exist between the Demoflys-Bartolo and the Trionfo-Pisani cases is—

That Bartolo let his shops to two stationers, and Pisani to two tailors.

Bartolo's case is that of a British against a French subject, and the other an Italian against a British subject. Nevertheless, the law has been differently interpreted by the Tribunal in each case.

In Demoflys v. Bartolo, the Judgment

Extracts.

Remarks.

is not based on any Article in the Code Civil, whereas in *Trionfo re Pisani*, Article 1719 of the Code Civil was quoted with the following opinion —

"Attendu que si le bailleur au terme de l'Article 1719 a l'obligation de garantir au preneur la paisible jouissance de la chose louée, cette obligation doit être exclusivement limitée aux relations spéciales qui dérivent du contrat du louage, qu'elle ne saurait conséquemment avoir pour effet de limiter le droit du propriétaire et d'assurer au preneur l'exercice exclusif du commerce ou de l'industrie qu'il exploite dans les lieux loués. Que le bailleur en effet ne peut être présumé, en dehors d'une stipulation tacite ou expresse, avoir promis au preneur des garanties au désavantage qui ne dépendent en rien du contrat de louage."

2. In the contract between Bartolo and Demoflys of the 20th October, 1884, there is no such restrictive clause.

3. This and the following arguments in favour of Demoflys are opposed to the interpretation given to Article 1719 in the *Pisani* case.

4. Stationers and booksellers have existed in Tunis during many years; Mr. Finze and Messrs. Hus for thirty and twenty years respectively, and several other firms before the time both of Mr. Demoflys and of the French occupation.

5. Tabone Bartolo's premises are situated in the same quarter and street as those let by Pisani to Trionfo.

On this point the Tribunal declared, on the 12th June, 1889, that—

"Dans le quartier de la marine (Avenue de France), en effet, où le commerce est représenté par quelques établissements connus et nettement distincts, il n'y a pu résulter pour les demandeurs aucune cause d'erreur ou de concurrence déloyale de voisinage d'une maison similaire."

6. There are five shops in Tabone Bartolo's house, for which the following rents are paid:—

M. Zervos, 3,800 fr.; M. Umaghlio, 9,000 fr.; M. Angetolli, 1,400 fr.; M. Demoflys, 3,200 fr.

These facts were known by the Judges.

7. Demoflys contracted, of his own accord, with Bartolo for a nine years' tenancy. There were no proofs that Bartolo "exacted" those terms.

8. The outlays of M. Demoflys on his shop were made after entering into pos-

2. Que c'est ainsi que le bailleur souvent s'interdit d'établir dans sa maison une industrie similaire de celle qui exploite un premier locataire.

3. Attendu, en fait, que dans le bail passé en 1884 entre Demoflys et Bartolo il est nettement stipulé que le magasin loué est destiné par le premier à l'exploitation de commerce de librairie et quincaillerie.

4. Attendu, qu'à l'époque où intervenait ce bail c'était une industrie nouvelle que Demoflys introduisait à Tunis.

5. Que c'était aussi expressément qu'il choisissait pour l'exploitation de cette industrie la maison de Tabone Bartolo, située dans un quartier central de la ville où affluent les Européens.

6. Attendu, que pour réaliser les espérances d'une entreprise subordonnée au développement de l'élément Français ou Européen, Demoflys n'hésitait pas à faire sur le prix de sa location un notable sacrifice que ce prix était 3,200 fr.

7. Attendu, qu'en exigeant ce prix pendant une durée de neuf ans en interdisant son locataire la faculté de sous-louer.

8. Attendu, que sous les yeux de son bailleur, Demoflys, au lendemain même

Extracts.

Remarks.

de son bail, commençait l'exécution de travaux d'installation qu'il a poursuivis sous temps d'arrêt, et qui lui a imposé une dépense qui d'après les facteurs produites a presque atteint le chiffre de 6,000 fr.

cession, and did not concern M. Tabone Bartolo.

No proofs were produced by M. Demoflys to show that Tabone Bartolo was under any "tacit obligation" to reserve to Demoflys the monopoly of his business.

Tabone Bartolo v. Demoflys

Tabone Bartolo et his premises to Demoflys, with a clause in the contract which ran as follows:—

"Il est absolument défendu au Sieur Demoflys d'y vendre ou déposer des marchandises ou genres inflammables, tels que, esprits, poudre, pétrole, soufre, allumettes," &c.

On the 2nd June, 1887, Tabone Bartolo, having ascertained that Demoflys was in the habit of selling fireworks, gave him formal notice to desist from trading in such goods and to remove them from the premises. This was done. In the end of 1889 M. Demoflys resumed the sale of fireworks, and Bartolo then sued him for 20,000 fr. damages.

Finding.

Translated Extracts.

Remarks.

1. The Court found that there was no penal clause stipulated in the contract regarding sale or deposit of inflammable goods.

2. That therefore it was not for the Court to decide what the consequences would be if Demoflys failed to observe his engagements.

3. That when Bartolo gave notice, after three years, to Demoflys to remove from the premises all goods of an inflammable character, he, Bartolo, only demanded damages in default, and the removal of the goods which were actually in deposit.

4. That Demoflys immediately hired a separate store elsewhere, whither he removed the inflammable goods.

5. That Demoflys thus acted in obedience to the notification sent to him by Tabone.

6. That Tabone did not order Demoflys to cease the sale of the inflammable articles, but merely not to keep them in deposit.

7. That since 1887 Demoflys had continued to sell fireworks publicly in the said shop.

8. That, nevertheless, Tabone, who inhabits his own house, cannot seriously ignore the sale, of which Demoflys has nearly always had the monopoly.

9. That the Court must take for granted that the desire expressed by Tabone Bartolo for the storage of the fireworks in 1887 did not apply to the sale of explosive goods.

10. That with regard to the words, [408]

Translated Extracts.

"deposit and sale," existing in the Contract, Tabone had tacitly sanctioned the sale by agreeing in 1887 to the permanent transfer and storage of the dangerous goods, and until the present suit T Bartolo had not interfered with Demoflys in the sale of the said goods.

11. That, from all points of view, the demands of Tabone are without foundation.

12. That the demands of Demoflys are, on the contrary, justifiable.

Judgment.

Tabone Bartolo is sentenced to pay to Demoflys damages amounting to 2,000 fr and costs.

Demoflys is authorized to continue the sale of fireworks although forbidden to store them in the shop.

Tunis, June 14, 1890.

Remarks

Remarks.

Bartolo has given notice of appeal, and his case has already been forwarded to the Supreme Court at Algiers.

Mr Bartolo states that the permission given by the Court to Demoflys to continue the sale of fireworks places his house, valued at 1,000,000 fr, in constant danger of fire, including the lives and property of his numerous tenants.

This state of things may continue during the greater part of the time that Demoflys' contract has to run, as Judgments in Appeal are frequently delayed for many months.

No. 46

(*Consul R. Drummond Hay to the Marquis of Salisbury*—(Received June 21.)

(Telegraphic.) P.

WITH reference to your telegram of 18th June, the Resident informs me that the Public Prosecutor at Sousse will try the police officer, who has been handed over to him for that purpose; and that the Bey's Government will not decide whether an indemnity should be paid to the British subjects, or who should pay it, until the result of the trial is known.

No. 47

The Marquis of Salisbury to Consul R. Drummond Hay

(Telegraphic.)

Foreign Office, June 21, 1890 5 P.M.
WITH reference to your telegram of the 21st June, when is trial to be held?

No. 48.

Consul R. Drummond Hay to the Marquis of Salisbury—(Received June 27.)

(No. 48.)

My Lord,

WITH reference to my telegram of to-day reporting to your Lordship the reply I had received from the Resident-General to the note I addressed him in accordance with your Lordship's telegraphic instructions of the 18th instant, inquiring what compensation the Tunisian Government were prepared to give to the two British

subjects for the violence with which they were treated by the Commissary of Police at Kairwan, I have the honour to inform your Lordship that my letter to the Resident of the 6th instant was answered by him on the 19th instant, in a letter which crossed my note communicating to him the instructions I had received that day from your Lordship.

I enclose copies of M. Massicault's two letters dated the 19th and 20th instant.

With regard to his first letter, I beg to correct the false impression conveyed therein, that the Tunisian Government had instituted and terminated the inquiry without my intervention, and that my letter of the 6th instant, as well as that of the 10th instant, was received after its return to Tunis of the Chief of Police.

My interview with M. Massicault took place before he dispatched the police officer to Kairwan, and my letter of the 6th instant was written and delivered to him on the same day that the said official embarked for Sousse.

I may also mention that while Battista Grech and several hundred Maltese appeared before the British Consulate on Monday the 9th instant, the results of the inquiry were not known.

It was not until the afternoon of the same day that the Chief of Police apprised me of the dismissal of the Commissary of Kairwan. After the message delivered to me by that functionary, I received no verbal or written communication from the Residency until the 19th instant, although M. Massicault was well aware that I had called on him twice, with the hope of obtaining a personal interview.

It was my special desire to continue the negotiations on a friendly footing, and to obtain reparation for the British subjects without a resort to formal demands.

An idea of the spirit which animated the authorities in dealing with this case may be also gathered from the fact that the "Dépêche Tunisiennne" newspaper, the official organ, referred for the first time to the Kairwan incident in a very casual manner on the 11th June, although it was already notorious on the 2nd June, merely stating that the "Commissaire de Police de Kairwan" was "absent de son poste" and "distressed for having caused two persons to be added to their care." That those measures had been adopted in consequence of an administrative inquiry made by the Chief of Police at Tunis.

The jour I continued to preserve complete silence on the question until a sharp article appeared in the local Italian newspaper upbraiding the French authorities.

The "Dépêche" replied that "no intervention had been necessary to bring about the measures adopted by the Tunisian Government against their agent at Kairwan. That when the intervention did take place, the Government had already commenced the inquiry, which resulted in the dismissal of their Agents, whereby justice had been satisfied."

With reference to the statement of M. Massicault in the last paragraph of his letter of the 20th instant, that "the Tunisian Government had taken the lead of the trial before forcing me to intervene," I beg to state that I have not been so respectfully to state that the Tunisian Government had taken the lead of the trial before forcing me to intervene."

The Tunisian Government has admitted the outrage by summarily dismissing the police officer, and the inquiries instituted by the Chief of Police and the British Consul at Sousse, have clearly proved that the victims were cruelly beaten and tortured.

Battista Grech, who was taken to Tunis with his son, is still incapacitated from working by the lacerated condition of his thumbs.

I think it is also my duty to observe that hitherto the Government has neglected the ordinary forms of courtesy by refraining from expressing any regret or regret treatment by officials in their service of women and children and respectable British subjects.

I have, &c.

(Signed)

R. DRUMMOND HAY.

Inclosure 1 in No. 48.

M. Massicault to Consul R. Drummond Hay.

M. le Consul,

LE 2 Juin courant, vous avez bien voulu venir à la Marsa m'exposer que, d'après un rapport du Vice-Consul de Sa Majesté Britannique à Sousse, deux de vos

Tunis, le 19 Juin, 1890.

administrés, les Sieurs Battista et Francesca Grech, avaient été maltraités par le Commissaire de Police de Kairouan et ses agents.

Je vous ai aussitôt répondu qu'ayant été averti, la veille, par nos contrôleurs, le Gouvernement Tunisien avait déjà ouvert une enquête sur le fait signalé.

L'enquête terminée, je me suis empressé de vous informer que le Gouvernement Tunisien avait cru devoir révoquer le Commissaire de Police et trois de ses auxiliaires, et qu'il en avait avisé la justice.

Les 6 et 10 Juin, vous référant à notre échange de communications verbales, vous m'avez adressé des déclarations concernant cette affaire et recueillies par le Vice-Consul de Sa Majesté Britannique à Soussa.

J'ai l'honneur de vous accuser réception de ces envois, que je transmets pour information au Parquet de Soussa.

Agréez, &c.
(Signé) J. MASSICAULT

Inclosure 2 in No. 48.

M. Massicault to Consul R. Drummond Hay.

Tunis, le 20 Juin, 1890.
M. le Consul,
PAR votre lettre datée d'hier, vous m'avez demandé, d'après les instructions du Gouvernement de Sa Majesté Britannique, quelle compensation le Gouvernement Tunisien est prêt à donner aux deux sujets Anglais, Battista et Francesca Grech, pour les violences qu'ils ont subies de la part du Commissaire de Police de Kairouan.

J'ai l'honneur de vous informer que les faits à la charge de l'ancien Commissaire de Police de Kairouan étant actuellement soumis à la justice, comme vous en avez eu avisé ma dépêche du 19 de ce mois, le Gouvernement Tunisien attendra de connaître le résultat des poursuites exercées pour se faire une opinion sur la question de savoir si une indemnité est due aux Sieurs Grech, et par qui elle devrait être fournie.

Agréez, &c.
(Signé) J. MASSICAULT.

No. 49.

The Earl of Lytton to the Marquis of Salisbury.—(Received June 27)

(No. 50. Secret.)
(Telegraphic.) P.

Paris, June 27, 1890, 2:45 P.M.
I HEAR from Count Münster that the Italian Government are alarmed at a report of probable concession by England to France about Tunis. He tells me that M. Resman, the First Secretary of the Italian Embassy here, is going (or has gone) to London, presumably in connection with this report.

No. 50.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received June 27.)

(Telegraphic.) P.

Tunis, June 27, 1890, 9:30 P.M.
WITH reference to your telegram of the 24th instant, case will probably be tried at Algiers. I have not yet been able to ascertain date.

No. 51.

The Earl of Lytton to the Marquis of Salisbury.—(Received June 30.)

(No. 248. Confidential.)

Paris, June 29, 1890.
My Lord,
COUNT MÜNSTER has confidentially informed me of news which has reached the German Government that Signor Crispi is alarmed by a report that there is some

understanding, or approach to an understanding, between Her Majesty's Government and that of France for changing the present French Protectorate of Tunis into an unrestricted French possession.

I told my German colleague that, so far as I knew, there was absolutely no foundation for this report, and that I was convinced of its complete untruth; though, from M. Ribot's language to me about Tunis, I could not doubt of his anxiety to obtain the assent of England to some such arrangement.

I have, &c.
(Signed) LYTTON.

No. 52.

The Earl of Lytton to the Marquis of Salisbury.—(Received July 2.)

(No. 247.)

My Lord,

Paris, June 20, 1890.

I FORWARD herewith to your Lordship a further despatch from Colonel Talbot on the subject of the works now in course of construction for improving the harbour of Bizerta.

Your Lordship will notice that in this despatch Colonel Talbot states his reasons for the opinion formed by him on the occasion of his recent visit to Tunis, that the cost of these works affords no measure of their importance from a naval point of view, or of the magnitude of the advantages which the completion of them will, he considers, secure to the naval power of France in the Mediterranean in time of war.

I have, &c.
(Signed) LYTTON.

Inclosure in No. 52.

Colonel Talbot to the Earl of Lytton.

My Lord,

Paris, June 27, 1890.

THE expropriation of land at Rhodes, recently reported by the British Consul at Tunis, on which formidable works are to be erected, covering the entrance to the harbour of Tunis, the acquisition of land at Bizerta for military purposes and the concession to a private Company in exchange for fishing rights for the opening of a passage into the deep waters of Bizerta Lake, prove that the French, even more rapidly than anticipated in my despatch to your Excellency dated the 15th April, 1890, are about to commence operations which will convert eventually Tunis and Bizerta into fortified harbours of great importance and of considerable strength.

The amount of money which it is said to be in contemplation to spend in utilizing these places for naval purposes is not a criterion of the importance of the works, as by a comparatively small expenditure their natural advantages can be made use of.

Bizerta, by an expenditure by no means unreasonable, can be made, it is reported, into a harbour of refuge, in which the largest vessels afloat can enter and be out of reach of the guns of an enemy's fleet. The works necessary to cover the submarine mine fields at the entrance of the harbours need not be of an expensive character.

It should also be observed that the Bey's treasury is at the disposal of the French, and therefore not subject to the same scrutiny as funds obtained from other sources. It may be mentioned that the ship canal at Tunis is being constructed by money already in hand supplied by the Bey.

It may not be intended, and probably is not, to at once construct an arsenal or maritime fortress at either place, but this can be done at any future time, and in the meantime the facilities of communication with Algeria enable any military resources in men or material that the French may have in North Africa to be rapidly concentrated in any part of Tunis.

As a base of supplies the position compares very favourably with Gibraltar, Malta, Aden, or almost any of our coaling-stations having in its rear a country with large supplies of corn and cattle and the principal necessities of life. Consequently, these harbours could sustain a blockade, as long as operations were confined to the sea, of almost unlimited duration. Deficiencies of military stores could be supplemented from Algiers, or even from France, unless the whole length of the Algerian coast, with its numerous small harbours, were strictly blockaded.

[408]

L

Tunis and Bizerta should be considered together, supporting each other by easy land communication, and possessing many features in common, namely, the distance from the sea to the head of the bay, the narrowness of the single entrance (which while facilitating defences also renders easy the blockades), and lastly, the absence of shelter for a blockading squadron.

It is unnecessary to point out the importance of these harbours when constructed, commanding the narrowest portion of the Mediterranean, and their value as a base from which operations against Malta might be undertaken, and from which our line of communications with the East might be threatened.

I would, in conclusion, observe that the condition of Tunis is absolutely peaceful, and calls for no augmentation of military strength, and no danger is anticipated on the southern frontier.

It can only be with the object of consolidating the French position in Tunis with a view to external eventualities that the military works at Bizerta and Tunis are about to be undertaken, and I venture to submit to your Excellency that, from a military or rather naval point of view, they are of considerable importance.

I have, &c.
(Signed) R. A. TALBOT, Colonel,
Military Attaché.

No. 53.

The Marquis of Salisbury to the Earl of Lytton.

(No. 246.)

My Lord,

WITH reference to my despatch No. 243 of the 1st instant, in regard to the ill-treatment of two Maltese, Battista and Francesco Grech, by the police authorities of Kairwan, I have to request your Excellency to take an opportunity of mentioning the case privately to M. Ribot, and alluding to the confident hope entertained by Her Majesty's Government that compensation will be awarded to the British subjects who were subjected to this indignity.

I am, &c.
(Signed) SALISBURY.

No. 54.

The Earl of Lytton to the Marquis of Salisbury — (Received July 5.)

(No. 254.)

My Lord,

I HAVE the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, a Report of an interpellation in the Chamber of Deputies yesterday afternoon on Tunisian affairs.

M. Delafosse pointed out that much still remained to be done to satisfy the aspirations of the French colonists and, M. Ribot having recapitulated the reforms already introduced and called upon the Chamber to meet the wishes of the colonists, the matter of reducing French duties on Tunisian produce, the House unanimously voted an order of the day, approving the declarations of the Government and declaring its resolution to favour French colonization in the Regency.

I have, &c.
(Signed) LYTTON

No. 55.

The Earl of Lytton to the Marquis of Salisbury — (Received July 7.)

(No. 255.)

My Lord,

WITH reference to my preceding despatch of yesterday, I have the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, a Report of

* Not printed.

the debate in the French Chamber yesterday, on the Government Bill for modifying the tariff in favour of certain articles of Tunisian produce.*

The text of the Bill as passed by the Chamber is inclosed in my despatch No. 194, Commercial, of this day. The debate, however, has some political interest on account of the unanimity of feeling displayed in favour of treating Tunis as a French Colony, of the allusion made by M. Camille Dreyfus to possible foreign intervention, and of the reply which it elicited from M. Ribot, who asserted the determination of the Government to maintain the rights of France wherever attacked.

The Bill was passed by an almost unanimous vote.

I have, &c.
(Signed) LYTTON.

No. 56.

Consul R. Drummond Hay to the Marquis of Salisbury — (Received July 4.)

(No. 49.)

My Lord,

WITH reference to my despatch No. 33 of the 8th May last, I have the honour to inform your Lordship that I have obtained important information and plans regarding the harbour of Bizerta, and the proposals for the defence of the coast as far as Tabarca. In order that accuracy may be insured, I beg your Lordship's sanction to my visiting these places privately during this or next month, according as a proper occasion may present itself before I forward my Report.

I trust that I may be permitted to charge to Her Majesty's Government the expenses of my visit.

I have, &c.
(Signed) B. DRUMMOND HAY.

No. 57.

The Marquis of Salisbury to the Earl of Lytton.

(No. 260 A.)

My Lord,

AT a recent interview, M. Waddington, while discussing the differences which had arisen between France and Egypt in respect to the application of the revenues economized by the recent conversion, intimated that their consent to the solution desired by Egypt would be largely dependent upon the willingness of this country to accept a change in its present Conventional relations towards Tunis. His proposal was that the Treaty of 1875, to whose duration no date is assigned, should terminate in 1890, at the time when the Italian Treaty with Tunis also comes to an end, and that Her Majesty's Government should be content to receive, in place of it, the assistance of a new tax-revelation treaty, which forms one of the stipulations of that Treaty. The Beylical Government has, under Article XI. of the Treaty, a right to call upon that of Her Majesty to enter upon the revision of the Treaty at any time it pleases, though Her Majesty's Government is not compelled to assent to any particular project of revision. This stipulation alone will prevent me from declining entirely the proposal of France that we should enter upon a revision of the Treaty of 1875, and I propose shortly to inform M. Waddington to that effect. But as to the particular form of revision which it might seem to us expedient to adopt, I am not at present in a position to speak. The question is a complicated one, and involves many grounds of consideration, and until these have been thoroughly examined it is impossible for us to say what arrangement we would accept in substitution to the existing Convention. The clauses require careful examination with that view.

I am, &c.
(Signed) SALISBURY.

* Not printed.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received July 14.)

(No. 47.)

My Lord,

WITH reference to my telegram of the 27th ultimo, I have the honour to transmit to your Lordship, herewith, a copy of a letter received from M. Massicault on the 28th instant, informing me that the late Commissary of Police at Kairwan will be tried at Algiers.

The Resident has not answered my query as to when the trial will take place, from which I deduce that the date has not yet been fixed.

I have also the honour to report that I received on the 27th ultimo a further appeal from Battista Grech, informing me that he had not sufficiently recovered from his wounds to enable him to resume work, and that in order to support his family he had to raise money on his carriage, which is already heavily mortgaged.

With the view of arriving at the truth, I caused Battista Grech to be formally examined by a physician and the British Pro-Consul in my presence.

A certificate was signed by those gentlemen, of which I inclose a translation, showing that the state of Battista's thumbs will prevent him from returning to his work for twelve days from that date.

I advised Grech to patiently abide results, and to present himself again at the Consulate on the 7th instant for further examination.

As the seizure of the Grechs took place on the 22nd May, the wounds occasioned by the thumb-screws will have required forty-seven days to heal, reckoning from that date to the 7th instant.

Whilst incapacitated from gaining a livelihood, Battista has had to support his family and feed several horses.

He estimates his average earnings by posting at about 20 fr. a-day.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure 1 in No. 58.

M. Massicault to Mr. R. Drummond Hay.

M. le Consul,

POUR répondre à la demande contenue dans votre dépêche du 25 Juin, j'ai l'honneur de vous informer que l'ancien Commissaire de Police de Kairwan, M. Camus, est poursuivi devant la Cour d'Alger, à la diligence de M. le Procureur-Général près cette Cour.

Agréez, &c.
(Signé) J. MASSICAULT.

Inclosure 2 in No. 58.

Medical Certificate regarding Battista Grech.

(Translation.)

I, THE Undersigned, British Pro-Consul at Tunis, do hereby declare that Battista Grech, British subject, presented himself before me this day and stated that he was incapacitated from resuming work on account of the wounds inflicted on him last May in the city of Kairwan.

Dr Ettore S. Camilleri has, by order of R. Drummond Hay, Esq., Her Majesty's Consul, examined the two thumbs of the said Battista Grech, and has affirmed that the wounds being still unhealed, he will not be able to return to his work for twelve days.

(Signed) G. CARBONARO, Pro-Consul.
Dr. ETTORE CAMILLERI.

Her Britannic Majesty's Consulate, Tunis,
June 27, 1890.

The Earl of Lytton to the Marquis of Salisbury.—(Received July 14.)

(No. 263.)

My Lord,

IN accordance with the instructions contained in your Lordship's despatch No. 246 of the 3rd instant, I have left at the French Foreign Office a Memorandum, for the Minister's private information, expressing the confident hope entertained by Her Majesty's Government that compensation will be awarded to Battista and Francesco Grech for the indignity to which they were recently subjected by the police authorities at Kairwan.

I have, &c.
(Signed) LYTTON.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received July 14.)

(Telegraphic.) P.

INFORMATION has been conveyed to me that a meeting was secretly held on the 9th July in the Palace of the Bey of Tunis between the Acting Resident, the Bey, two French officials, and the two heirs presumptive of the Bey. I am told that an Agreement was drawn up and signed under which the Princes renounce their right to succeed the Bey, while the French Government guarantees the payment to the Bey of his civil list. The Heir Apparent will be paid 2,000,000 fr. per year. I received this information from a British subject to whom a General in the household of the Bey had imparted it.

Foreign Office to Consul R. Drummond Hay.

(No. 8.) P.

Sir,

I AM directed by the Secretary of State for Foreign Affairs to inform you that his Lordship sanctions your charging to Her Majesty's Government the expense of the visit which you propose in your despatch No. 49 of the 14th July to make for the purpose of viewing in person the works of defence at and near Bizerta.

I am, &c.
(Signed) P. CURRIE.

The Marquis of Salisbury to the Earl of Lytton.

(No. 266.)

My Lord,

WITH reference to my despatch No. 246 of the 3rd instant, regarding the outrage perpetrated on British subjects at Kairwan, I have to inform your Excellency that Her Majesty's Consul at Tunis has reported that the French Resident is now in Paris, and I am of opinion that opportunity might be taken of M. Massicault's presence to urge a satisfactory settlement of the case.

I am, &c.
(Signed) SALISBURY.

The Marquis of Salisbury to Mr. R. Drummond Hay.

(Telegraphic.) P.

WITH reference to your despatch No. 47, urge that a reply should be immediately sent to you as to the trial, and at the same time inform the French Resident of the state of health of the man.

The Earl of Lytton to the Marquis of Salisbury.—(Received July 19.)

(No. 272.)

My Lord,

Paris, July 18, 1890.

M. MASSICAULT had returned to Tunis to preside at the celebration there of the 14th July before I received your Lordship's despatch No. 266 of that date, suggesting that I should take advantage of his presence at Paris to urge a satisfactory settlement of claims arising out of the outrage on British subjects at Kairwan.

In an interview, however, which I had with M. Ribot the day before yesterday, I referred to this case in connection with a Memorandum on the subject of it which I had already communicated unofficially to the French Foreign Office. His Excellency took a note of the matter and promised his early attention to it.

I have, &c.
(Signed) LYTTON.

No. 65.

Mr. B. Drummond Hay to the Marquis of Salisbury.—(Received July 21.)

(No. 50.)

My Lord,

Tunis, July 14, 1890.

WITH reference to my despatch No. 48 of the 28th ultimo, I have the honour to report to your Lordship the return of M. Massicault to Tunis on the 13th instant.

I have, &c.
(Signed) R. DRUMMOND HAY

No. 66.

The Marquis of Salisbury to the Marquis of Dufferin.

(No. 45.)

(Telegraphic.) P.

Foreign Office, July 23, 1890, 8 P.M.

IN the course of conversation with the French Ambassador some days ago, I referred to a report as current in the city about the Bey's heirs having renounced, at the instance of France, their rights of succession in Tunis. His Excellency informed me the day before yesterday that M. Ribot had most categorically denied the truth of the whole story, for which he said there was not the slightest foundation, that the present Government strongly opposed any annexation of Tunis, and that no agreement had been made with the Bey.

No. 67.

The Marquis of Salisbury to Sir A. Paget.

(No. 127.)

Sir,

Foreign Office, July 26, 1890.

COUNT LÜTZOW, the Secretary to the Austro-Hungarian Embassy at this Court, called at the Foreign Office yesterday, and said that he was instructed to state on behalf of Count Doym, that Count Kálnoky was much obliged for the communication of M. Waddington's assurances as to Tunis.

His Excellency proposed to inform the Italian Ambassador of them with a view of reassuring Signor Crispi, who was very apprehensive of the possible result on his position of any such action on the part of France in Tunis. He would add that, in the event of its becoming necessary, Austria would give Italy her diplomatic support in Paris in regard to the Tunisian question.

Count Lützow expressed Count Kálnoky's hope that I would give a similar assurance, and requested that an answer might be given to him on the point.

He was informed to-day that I had already made a communication in the sense desired by Count Kálnoky to Count Tornelli.

I am, &c.
(Signed) SALISBURY.

The Marquis of Salisbury to the Marquis of Dufferin.

(No. 185A.)

My Lord,

Foreign Office, July 28, 1890.

ON Monday last Count Tornelli informed me that his Government had received information on which they could rely, from Tunis, that a Convention had been concluded between the French Resident on the one hand and the Bey and his family on the other, under which it was agreed that, in consideration of certain subsidies secured to those who had a right to the succession of the Bey, they would renounce their claims in favour of France.

His Excellency asked me whether we had received similar information, and, also, assuming the news to be true, what measures we were prepared to take in order to prevent the disturbance of maritime power in the Mediterranean which would result.

I replied that our information on the matter he had referred to was not so precise as that which he had given to me, nor was the source to which the rumour was traceable, in our judgment, authentic. With respect to the second question, I could only reply that it was not within the traditional practice of Her Majesty's Government to form definite resolutions in regard to cases which were entirely hypothetical. My impression was that if France had really adopted so strong a measure as that which his information indicated, the other Mediterranean Powers would probably address a friendly communication to France herself, or would address the Sultan of Turkey with respect to a succession over which he still claimed rights.

Two days later I informed him that I had had intermediately the opportunity of conversing with the French Ambassador on the subject. I communicated to him the rumour I had heard, without indicating the source from which I had reached me, and his Excellency, in reply, denied, in the most categorical manner, that any such agreement had been concluded by his Government, and added that, although there was in France a school which favoured the annexation of Tunis, their views met with no favour from the Government now in power.

I am, &c.
(Signed) SALISBURY.

No. 69.

Sir A. Paget to the Marquis of Salisbury.—(Received July 28.)

(No. 209.)

My Lord,

Tunis, July 24, 1890.

WITH reference to your Lordship's telegram No. 24 of yesterday, repeating a message sent to Lord Dufferin on the subject of the denial given by the French Government of any intention to annex Tunis, I have the honour to state that, having acquainted Baron Pasetti this morning with the substance of your Lordship's telegram, his Excellency expressed his best thanks for this communication, which he stated was very interesting to the Government here on account of Italy.

I have, &c.
(Signed) A. PAGET.

No. 70.

Mr. B. Drummond Hay to the Marquis of Salisbury.—(Received August 1.)

(No. 52.)

My Lord,

Tunis, July 27, 1890.

I HAVE the honour to report to your Lordship the death on the 26th instant of Sidi Hussein Bey, son of the late Sidi Mohamed Bey, and next heir to the Beylical Throne after Sidi Tayeb Bey, the Her Apparent. His place is now filled by Sidi Mustapha Bey, son of Sidi Ali, the reigning Bey.

I have, &c.
(Signed) R. DRUMMOND HAY

No. 71.

The Earl of Lytton to the Marquis of Salisbury.—(Received August 1.)

(No. 57.)

(Telegraphic) P.

Paris, August 1, 1890.

THE French Minister for Foreign Affairs has given Count Münster the same denial as that of M. Waddington, recorded in your Lordship's telegram No. 45, to Lord Dufferin, about the renunciation signed by the Bey of Tunis; but Count Münster is told by the Italian Ambassador that an agreement was signed on 21st July, and that the information came from a son of the Bey.

No. 72.

*The Marquis of Salisbury to Consul-General Drummond Hay.**

(Telegraphic.) P.

Foreign Office, August 1, 1890, 7 P.M.

I HAVE received a report of a fight on the Tripoli-Tunis frontier. Have you any information?

No. 73.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received August 1, 8 P.M.)

(Telegraphic.) P.

Tunis, August 1, 1890, 3.25 P.M.

THE Italian Agent at Gerba has informed the Italian Consul here that a conflict has taken place between the frontier tribes of Tunis and Tripoli.

No. 74.

Consul-General Drummond Hay to the Marquis of Salisbury.—(Received August 2, 5.20 P.M.)

(Telegraphic.) P.

Tripoli, August 2, 1890, 4.35 P.M.

A RAID has been made on a Tripoli tribe by 200 men belonging to a Tunis frontier tribe. Resistance was offered, 48 men were killed and wounded, and a number of sheep seized. Representations have been addressed on the matter by the Vali to the French authorities at Tunis through the channel of their Consul.

No. 75.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received August 2, 10 P.M.)

(Telegraphic.) P.

Tunis, August 2, 1890, 4.20 P.M.

MY telegram of yesterday crossed your Lordship's instructions of the same date. Consular Agent confirms the news. I hope to obtain further particulars by the post of the day after to-morrow.

No. 76.

The Marquis of Dufferin to the Marquis of Salisbury.—(Received August 4.)

(No. 43.)

(Telegraphic.) P.

Rome, August 3, 1890, night.

WITH reference to your Lordship's telegram of yesterday, No. 47, I am informed by Under-Secretary of State for Foreign Affairs that no further news from Tunis has

* Also to Mr. R. Drummond Hay (Tunis).

reached the Italian Government. He promises to let me know if anything fresh occurs.

(Very Confidential.)

Signor Damiani refuses absolutely to believe in the denial given by the French Government. He says that before they assumed the Protectorate of Tunis they gave exactly the same assurance.

No. 77.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received August 5.)

(No. 53.)

My Lord,

Tunis, July 29, 1890.

WITH reference to your Lordship's despatch No. 4 of the 28th February last, I have the honour to transmit herewith a Report on the Memorial addressed to your Lordship on the 26th December, 1889, by the British Colony of Tunis, complaining of certain taxes imposed upon the community since the establishment of the French Protectorate.

I beg to state that, on the receipt of your Lordship's instructions, I requested the memorialists to delegate three trustworthy members of the Colony to furnish me with the necessary information and proofs in support of their grievances.

Baron Testa Ferrata, Dr. Pace Williams, and Mr. Benigno Farrugia, who were then selected, are men of good repute and held in general respect by the Colony.

They submitted to me a voluminous Report, drawn up in Italian, and supported by copious documentary evidence, which I have considerably curtailed by an abridged translation and the withdrawal of several inclosures.

The Report is accompanied by my marginal remarks on each case.

I have, &c.

(Signed)

R. DRUMMOND HAY.

Inclosure in No. 77.

Abridged Report of British Memorialists and Remarks of Mr. R. Drummond Hay.

Remarks by Mr. R. Drummond Hay on the Report of the Committee.

Abridged Translation of a Report addressed to Mr. R. Drummond Hay by a Committee representing the British Colony in Tunis.

I.

"THAT the British colony in Tunisia, numbering about 18,000, are from day to day becoming over-charged with taxes, such as to render their permanency in this Regency insupportable and almost impossible."

These observations are more than justified by the Report of the Commission appointed by the French Chamber of Commerce in Tunis to inquire into the causes of the commercial crisis in the Regency.

We beg to draw especial attention to the following paragraph in the said Report.—

"La quatrième de nos observations est d'ordre législatif, elle porte sur les Décrets dont le Gouvernement abuse tant depuis les dernières années, et qui causent tant de perturbation dans la vie journalière du pays, ainsi que parmi les propriétaires des biens immeubles ou de terrains ruraux. Ces Décrets qu'une simple signature transforme en lois d'État, et qui arrivent toujours à l'improviste, changent brusquement les règles établies, augmentent les taxes, ou en créent d'autres, modifient ou rendent im-

The Report of the Commission appointed by the French Chamber of Commerce, of which a copy is inclosed, is signed by four leading merchants and agriculturists of Tunis. Their opinions are generally shared by all persons interested in the improvement of trade and agriculture and in the general prosperity of the country.

The following paragraph, marked 1, at the commencement of the Report, is especially worthy of notice:—

"La première cause est la répétition de l'erreur que commet malheureusement trop souvent le Gouvernement Français dans l'administration des pays extérieurs soumis à sa domination, celle de vouloir traiter leurs populations comme si elles étaient composées de nos compatriotes et prétendre leur appliquer brusquement, et sans transi-

Remarks, &c.

tion, nos lois et nos institutions, sans s'assurer au préalable si elles sont susceptibles de les comprendre et les apprécier.

possible les contrats établis de bonne foi entre les particuliers, concèdent les monopoles, tels que ceux des eaux de Tunis, et des alias du sud de la Régence, et bouleversent enfin les bases de toutes les affaires."

This Report of the Chamber of Commerce was approved unanimously by the Agricultural Society of Tunis, and by the Italian Chamber of Commerce.

We offer the following observations in support of the statements of the French Chamber of Commerce of Tunis.

The Octroi taxes are not innovations of the French; they were in force prior to the Protectorate.

The Abattoir taxes have been introduced by the Municipality, who have constructed, at a considerable outlay, a slaughter-house for Christians, Mussulmans, and Jews, and a cattle-market on hygienic principles outside the town.

The levy of an additional tax on the price of an animal when no sale has taken place appears to be superfluous, the animal having been brought direct to the slaughter-house as the owner's property.

Documentary evidence was shown in support of this statement.

These privileges are accorded on account of the exigencies of the Mussulman and Jewish religions.

The receipts of the Municipality for these taxes are deposited in the Consulate.

This tax is levied with a view to check the introduction of cattle, and illicit slaughtering within the walls of the town.

Formerly the Municipality were unable to introduce new taxes without the consent of the Consular Corps, which was represented on the Council.

This control has been abolished since the Protectorate, the French Minister alone having the power of veto.

The taxes thus levied vary from 1s. to 5s. monthly, but are rendered unnecessarily onerous by an additional tax of 5s. for a

1. The Octroi taxes now in force are most objectionable. They paralyze both commerce and agriculture, and seriously affect the poorer classes of agriculturists.

2. The Municipal Abattoir Taxes.—In addition to this tax, a sum of 8½ per cent. is levied on the price of an animal.

3. Mussulmans and Jews are permitted during their feasts to introduce animals into their houses for slaughter.

Christians are not allowed any such privileges.

4. If a person owning land in the vicinity of Tunis desires to bring his oxen into the town to protect them from inclemency of weather or from robbery, he has to pay a tax of 8½ per cent. on the animals as if for sale, and likewise the abattoir taxes as if for slaughter.

The same regulations apply to milch cows.

These acts of the Municipality are contrary to Article IV of the Anglo-Tunisian Treaty of 1875, which states that—

"The purchaser shall be free to remove his goods, when purchased, from one place to another without any attempt being made on the part of the Local Government to interfere with them."

5. Communal Taxes.—The Municipality has introduced a new system of levying these taxes.

The "Zebis" tax has been supplanted by another called "Balayage," which enforces payment by owners of houses even if the latter be unoccupied or under repair.

6. Itinerant Traders are not allowed liberty of commerce, as stipulated in Articles IV and V of the Anglo-Tunisian Treaty of

Abridged Translation, &c.

Remarks, &c.

right to hold the permit, "pour droit de patente de colporteur."

The receipts of the Municipality have been produced in proof of these taxes.

The receipt of the Municipality was for a yearly payment of 12s. on a "boutique de soubies," or market shop, reserving their rights to levy a further sum of 2l. 10s. for the opening of the shop.

This tax is levied on all shops dealing in groceries, being the produce of Tunis. Until lately the trade was almost entirely in the hands of natives, and, therefore, the tax was never levied on foreigners who may have dealt in such goods.

The receipt has been shown and contains the following endorsement:—

"A défaut de paiement des droits dans les délais prescrits, la boutique ou le moulin sera fermé administrativement sans formalités judiciaires et la patente sera retirée (Articles 102 et 103 du Décret du 14 Août, 1901)."

The Municipality appears to have considerably exceeded their powers in this instance, as proofs can be shown that before the introduction of French jurisdiction their Regulations had to be confirmed by judgments from the Consular Courts in the cases of foreigners.

These documents are deposited in the Consulate; one of them, as stated, is issued in blank with the exception of a seal, and they are both undated.

They are strong evidence of the irregularities committed by the officials employed by the Administration in the collection of taxes.

That Law applies to all countries including

Abridged Translation, &c.

1875. They have to pay a tax to the Municipality, and are constantly being ordered by the Municipal Guards to exhibit their permits.

In addition to this, another tax is levied for the right to hold a permit of colportage.

Another proof of the check to free commerce is shown in the following case:—

Mr. Alfonso Diacono had to apply for a market permit to sell oil although his shop was not called a "boutique de soubies," or market shop.

As all oil sold in shops passes through the market, where the usual tax is levied, the authorities have no right to levy the tax a second time. (See 2nd paragraph of Article II of the Anglo-Tunisian Treaty of 1875.)

The permit had also the following observation:—

"Sous réserve de paiement de l'ouverture de boutique s'élevant à 100 piastres."

Mr. Diacono protested against the payment of the 100 piastres (2l. 10s.) as illegal and contrary to Treaty.

The authorities then demanded the tax from Mr. Muscat, the proprietor of Diacono's shop.

This was also a violation of Treaty rights.

There was also an endorsement on the permit that in default of payment of the prescribed taxes the shop would be summarily closed without judicial formalities, and the permit withdrawn.

This is a usurpation of the rights of the Courts of Justice to whose jurisdiction British subjects are solely subjected by their Government.

7. With a view to show the extent of these abuses we also recite the following case:—

G. Battista Ellul, British subject, obtained two permits from the authorities for the sale of salted vegetables, and paid a tax of 25 piastres (12s.) for the same.

One of these permits contains only the seal of the Administrator of Revenues without any printed or written statement, and both the documents are undated.

They were thus issued without any regard for the necessary formalities showing for what object or sum the permit was issued.

8. Soon after the French occupation of Tunis the Maltese traders in the Regency experienced the first blow to their trade.

On the pretext of phylloxera the

Remarks, &c.

France as well as Malta. Tunis was formerly largely supplied with fruit and vegetables from Malta, and consequently the prohibition was severely felt by many Anglo-Maltese residing in the Regency who depended on that trade for their livelihood. They accuse the Government of having passed the Law with the view of benefiting Algerian and French Colonists in Tunisia to the prejudice of the Anglo-Maltese Colony.

See Inclosure No. 2, Report of Chamber of Commerce, p. 7.

A considerable portion of the correspondence relating to this question was published by a Committee elected by the inhabitants of Tunis in 1885 to protect their alleged rights to the Zaghouan water. Copies are inclosed of the two pamphlets that were issued, which contain a reliable account of the question which has excited such popular indignation amongst all classes and creeds.

Abridged Translation, &c.

Importation to the Regency of fruit and vegetables was forbidden, thus depriving the Anglo-Maltese colony of an important trade with their island.

(1.) This prohibition is an infraction of Article VII of the Treaty of 1875.

(2.) The sanitary precautions in Malta are so rigorous that such a measure was uncalled for as regards that island.

(3.) The phylloxera has never existed in Malta.

This mode of procedure clearly shows the disregard of the new Legislature for our Treaty rights, and for the friendly and commercial relations that have always existed between Her Majesty's Government and the Bey of Tunis.

II.

"That since the French occupation of this country has taken place, a very hard tax on water has been imposed, owing to the cession of the Zaghouan springs made by the Tunisian Government to a private Company."

In order to prove the injustice of this Concession, we refer in the first place to the words of the Commission of the Chamber of Commerce:—

"Ces Décrets qu'une simple signature transforme en lois de l'État, et qui arrivent toujours à l'improviste, changent brusquement les règles établies, augmentent les taxes ou en créent d'autres . . . concèdent des monopoles tels que ceux des eaux de Tunis. . . ."

We draw attention secondly to the numerous protests and Petitions submitted to the Minister Resident by the inhabitants of Tunis, in the hope of obtaining redress.

With regard to the "irregular manner of measuring the water consumed by the population," we beg to state that several respectable inhabitants have been summarily deprived of their supply for declining to pay the amount demanded by the Company, without any justification of the latter's rights, by the sentence of a Court of Law.

The following proofs in support of our grievance are collected from the Reports of the Commission elected by the population of Tunis in 1885 for the defence of their interests in the water supply question.

In a letter addressed to M. P. Cambon, late Minister Resident of France at Tunis (see Inclosure 3, "Affaire des Eaux," Part II, pp. 31 and 32) relative to the irregular measurement of the water, the members of the Commission state that experts and specialists had examined the system of measurement in vogue at Tunis, and had declared that it was subject to great varia-

Remarks, &c.

Inclosures 3 and 4, "Affaire des Eaux."

See Inclosure 3, "Affaire des Eaux," Part I, p. 4.

Abridged Translation, &c.

tions, and especially in the country, where the water-works are very defective.

These variations are so great that we can produce copious evidence of inhabitants to show that their gauges have marked as high as four or five times the water actually consumed.

A comparison of the present and former water charges shows that by the Beylical Decree of the 1st Kaada, 1285 (1869), 1 cubic metre of water was supplied per day for 50 piastres a-year (1*l.* 5*s.*).

The intention of the Tunisian Government at that time, after incurring great sacrifices, was to establish an abundant supply of water at the lowest possible tariff for Tunis and Goletta, and, with a view of avoiding disastrous speculations, the maximum Tariff was fixed at 1*l.* 5*s.* a-year, for domestic water supply (calculated at 2*d.* per day).

The duration of the tariff was unlimited.

According to a Decree of the 29th September, 1889, published in the "Official Journal" of the 3rd October, 1889, the supply was reduced to 200 cubic metres a-year for domestic purposes.

The tariff was fixed at 50 piastres (1*l.* 5*s.*) for 200 cubic metres, or any fraction thereof, and 6*d.* a-day for every cubic metre exceeding the fixed amount for the annual supply.

The former allowance of 365 cubic metres has been thus reduced to 200 cubic metres a-year.

Therefore, calculating a cubic metre per day as a fair consumption for a family, the tariff has now been increased by 82½ piastres (2*l.* 1*s.* 3*d.*), raising the annual charges from 1*l.* 5*s.* to 3*l.* 5*s.*, and this sum does not include the extra expenses for fixing the gauge, leaden pipes, &c.

In 1859 His Highness, the then Bey, contracted with a M. Colin, French subject, to repair the ancient Roman Aqueduct, and conduct the Zaghouan water to Tunis for 7,800,000 fr.

In 1872 the management of the water-works was confided to General Baccouche, and three other Tunisian subjects.

These persons managed the Aqueduct on behalf, and under the control, of the Tunisian Government, and at that time the price varied was 1*l.* 5*s.* a-year for an unlimited supply of water.

On the 12th October, 1885, General Baccouche and Co. transferred their rights to a Company subject to the control of the Municipality, when the charges were altered to 1*l.* 5*s.* a-year for a maximum supply of 365 cubic metres, calculated at 3*d.* a-day per cubic metre.

On the 1st October, 1889, the new obnoxious Regulations were introduced, which have been fully described.

III.

"That by the will of several Tunisian proprietors, the Zaghouan springs have been, according to the religious principles of the natives, bequeathed to the city of Tunis, and the inhabitants enjoyed such benefits, by contributing a small sum for the conservation of the water ducts, built by His Highness Sidi Mohammed-es-Sadok Bey, so that the Municipality had no right to deprive the whole population of their privileges for the benefit of a private Company."

It may be added that such arrangements have been made after the removal of the Consular authorities from the Municipality, and notwithstanding the opposition of nearly all the Municipal Councillors.

In the foregoing quotation of our Memorial the words "several Tunisian proprietors," should be altered to "His Highness the Bey."

On this subject M. Pontois states in his book "*Les Odeurs de Tunis*," p. 287 —

"Je dois relater ici le bruit qui était très répandu à Tunis, et qui m'a été déclaré exact par d'anciens habitants de la Régence que par un Décret, dont le texte aurait disparu du Dar-el-Bey le Bey-es-Sadok avait fait don des eaux à la ville de Tunis, abandonnant à une collectivité de ses sujets et dans la plénitude de ses droits d'absolue souveraineté la propriété complète du canal. Si ce Décret était jamais produit, je serais curieux de savoir ce que décideraient les Tribunaux au sujet de la validité de la Concession du canal par l'État, alors que depuis longtemps ce même État en avait à perpétuité aliéné la jouissance."

There is no necessity to produce any documentary evidence that the Consuls were excluded from the Municipality before the Concession, as the fact is well known.

On the 14th October, 1884, all the members of the Municipal Council, including Mussulmans and Europeans, declared, after an inquiry had been instituted, that the Zaghouan water was owned by the town, and, therefore, the property of the Municipality.

The Mussulman members stated that all discussion was premature as General Baccouche had obtained the Concession of the Zaghouan waters for thirty years, and there remained still seventeen years before the expiration of the said Concession.

The Concession was granted to Mr. Colin on the 22nd July, 1859, by Sidi Mohammed Bey.

The latter died in the following month of September, leaving the execution of the Contract with M. Colin to his successor, Sidi-es-Sadok Bey. (See Memorial of the Committee addressed to the French Government, "*Affaire des Eaux*," Part II, p. 37.)

When the works were completed the Bey intrusted the management to an Association of Tunisians on the 7th September, 1862, for a period of ten years, subject to the control of the Municipality.

In 1872 the Concession was transferred

to General Baccouche and several others for a term of thirty years, whereby these persons obtained an additional grant from the Bey of 2,500L, and the Municipality were entitled to 975L of the profits.

After a lapse of only twelve years the Tunisian Government prevailed upon General Baccouche to transfer his rights to a French Company.

Until then the Zaghouan waters had been regarded by the inhabitants of Tunis as a donation of the Bey to their town, and there are amongst them many persons who believe in the existence of a Decree of Sidi-es-Sadok Bey to that effect.

The circumstantial evidence shows that the Bey expended 7,800,000 fr. on the restoration of the Roman Aqueduct, and confided the supervision of the water-works when finished to the Municipality of Tunis.

The arbitrary proceedings of the Administration have none the less remained in force in spite of the united protests of the inhabitants.

They also expressed their surprise that the Director of Public Works should meditate treating with another Company on a new basis.

All the Mussulmans and two Europeans sent in their registrations as members of the Municipality.

A Decree was then issued by the Bey in accordance with a Report by the Director of Public Works and the desire of a superior authority, with the pretended approval of the Municipality.

We beg therefore to submit that the said Decree of the Bey is null and void, having been issued without the consent of the Municipality.

On the resignation of the Mussulman members of the Municipality a Memorial was addressed to the Bey. (See Inclosure No. 4, p. 14, "*Affaire des Eaux*," Part II), by numerous inhabitants of Tunis, praying that their rights might be respected and upheld by His Highness.

This appeal for justice was made in vain. The Minister Resident ordered the arrest of the leaders of the native demonstration. Two were expelled from Tunis to a distant part of the interior, and the others were deprived of their different offices under the Government.

New members were then elected in the Municipality, who, it stands to reason, unanimously approved of the new Regulation.

IV

"That besides the aforesaid tax on water, another very heavy tax has been imposed on urban property."

According to a Beylical Decree of the 29th September, 1889, published in the "*Journal Officiel Tunisien*" of the 3rd October, 1889, a tax of 3½ per cent. has been imposed on the rental-value of real property for scavenging and drainage of the streets.

Formerly a moderate tax was levied, which never exceeded 1½ per cent. on the value of the rents.

The present is a burdensome tax for the population, as the Municipality makes no allowance for untenanted houses, and rents have risen considerably.

We beg also to observe that if the Municipality has the right to appoint an expert to estimate the value of real property, a similar right should be accorded to landlords to name a trustworthy person on their behalf, as a check to exaggerated valuations.

A copy of this Decree was transmitted to the Foreign Office in Mr. Carbonaro's despatch No. 54 of the 8th October, 1889. The instructions contained in the Marquis of Salisbury's reply, No. 47, of the 31st October, 1889, have been carefully followed, when questions of this nature have been brought under the notice of Her Majesty's Consul.

These taxes are seriously resented, not only by British subjects, but by all native and European owners of real property in Tunis. It is reported that a Memorial on the subject will be shortly submitted to the Tunisian Government and the foreign Consuls.

V.

"That such tax on urban property is much less felt by the French than by the British and other Colonists, because the French in Tunis hold but a very small portion of the said urban property."

We do not consider that there is any necessity for adding anything in support of this statement, as the facts are notorious.

VI.

The remedy for this grievance is also pointed out in Lord Salisbury's despatch No. 47, of the 31st October, 1889, where it is shown that Article VI of the Decree states, that foreigners who consider themselves wrongly assessed, are to appeal to the French Tribunal.

With regard to this right of appeal, an Anglo-Maltese lawyer, of good standing, states that the French Tribunals have lately denied foreigners the right of appeal to them for the revision of Municipal taxes. The said Tribunals maintain that they have not the power to verify the valuations of the Municipality; that such duties appertain to the "Juge de Paix," who is appointed by the Tunisian Government for that purpose.

That functionary, however, can only be regarded as a Controller of Taxes. Disputed cases are merely submitted to him for adjustment; they are never heard and decided in open Court. The "Juge de Paix" has, moreover, only power to decide questions where the amount in dispute does not exceed the sum of 40l.

Documents in support of this case are deposited in the Consulate.

These views are universally shared throughout the Regency by natives and foreigners, including many Frenchmen.

The root of the evil lies in the absence of the former Consular control in the Municipality where the presence of members delegated by the Consuls acted as a check against the introduction of arbitrary regulations and burdensome taxes.

There are now about 8,000 Maltese and 14,000 Italians in the town of Tunis, who together represent about one-fourth of the population, and should therefore be entitled to a fair voice in the Town Council.

Many of them possess valuable properties, and a considerable portion of the trades and industries of the town are in their hands. On a deduction of the army of occupation and the officials of the Civil Administration, the number of French residents and their interests are comparatively insignificant.

"That by a recent Decree of the 29th September, 1889, the last tax has been augmented, and for the execution of such law, it is stated that no pursuit will be required in the common Tribunal, but the Municipality shall have the right to seize and sell all furniture by the simple authorisation of the Bey's Prime Minister."

This is an open usurpation of the rights and competence of the French Courts of Justice to which our Government has exclusively submitted us, and a thorough denial of the right of defence belonging to any individual from whom a payment whatsoever is required.

We refer to the above-mentioned Decree in support of our assertions, and we beg to add that the Regulations introduced by that Law were put in force before the issue of the Decree.

Mr. G. Pisani was ordered by the Municipality to pay taxes amounting to 4,747.42 piastres on the 4th September, 1889, without being summoned before the Tribunal.

Mr. Pisani placed his case in the hands of the huissier, P. Goujon, and proved that he was not liable for such a large sum of money, which resulted in the reduction of the said sum to 2,196.67 piastres.

We have now shown clearly how the inhabitants of Tunis are harassed by a constant "rain" of illegal Decrees (in contravention of Treaty rights) which will end by ruining the population to the advantage of the Municipality, although British subjects residing in Tunis are not subject to Beylical jurisdiction, but to that of the French Tribunal, to which they have been solely subjected by Her Majesty's Government.

According to present arrangements the French element predominates in the Municipal Council.

The two Vice-Presidents and the majority of the European Committee are Frenchmen, whilst the President and half the members are natives, who dare not even discuss the decisions of the ruling power. The Government of the Protectorate is thus enabled to employ the Municipality as a channel for the introduction of new Regulations and taxes without openly infringing the liberties of foreign subjects.

VII.

"That even if a question of a private person were to be submitted to a debate before the French Tribunal, no justice is expected to be derived from such proceedings, as direct orders from high authorities prevent the Judges from administering true and impartial justice."

We are certain that a quotation of the words of a just and wise Magistrate, author of the book entitled "Les Odeurs de Tunis," is convincing proof of the truth of our assertions.

At p. 261 of his book the ex-President of the Tribunal makes the following remarks with reference to the incessant pressure brought to bear on the consciences of the Magistrates by means of intimidation from head-quarters.

"Les conclusions de M. Boerner sont tellement graves," disait encore M. Cambon, "que j'ai cru devoir lui en demander le texte écrit afin de les soumettre à l'appréciation du Gouvernement."

"Le membre du Ministère Public, soumis à la hiérarchie pour tout ce qui est d'ordre administratif, échappe à tout contrôle à l'audience; la son indépendance est absolue, sa parole est libre."

"Mais à Tunis M. Cambon n'admettait pas cela et M. Boerner devait, au sortir de l'audience, aller recueillir ses souvenirs pour noter les points principaux de son inquisition les coucher par écrit afin de permettre à M. Cambon de signaler l'opinion des Magistrats aux foudres vengeresses du Gouvernement de la République."

This straightforward and decided opinion comes from the pen of a man who was the first Magistrate in Tunis, noted throughout Algeria and Tunisia for his extraordinary perspicacity and intelligence.

We are in a position to furnish copious evidence of the abuses of the Administration and unjust sentences of the Tribunals, but we refrain from adding unnecessarily

to the volume of this Report, and merely cite the following cases amongst the number.—

1. Fourteen actions have been brought by different residents against the Water-works Company, and not one of them has been decided.

2. Demofys v. Taboni Bartolo.

3. Saint Frères v. Francesco Borg.

4. Borg v. Borg.

5. Banque Génové v. Giuseppe Farugia.

6. Water-works Company v. Baron Testa Ferrata.

7. Public Prosecutor v. Casar.

8. Public Prosecutor v. Vincenzo Spiteri.

The sentences passed in these cases against British subjects were nearly all in favour of French subjects, and only form a part of a systematic warfare that is being waged by Frenchmen against foreign traders, with whom they are unable to cope in consequence of their comparatively small numbers and their lack of enterprise.

We beg to add the following remarks of M. Pontois, p. 262 of "Les Odeurs de Tunis"—

"Voilà ce qu'il faut qu'on sache, c'est qu'officiellement le Gouvernement de la République, par l'organe de son Représentant, essaye de violenter les consciences des Juges, et que quand les Juges résistent, il se trouve un Garde des Sceaux pour les envoyer en disgrâce en invoquant la raison d'État."

When France instituted her Tribunals in the Regency, the law was represented by men of great experience in their profession.

The impartiality and wisdom of those Magistrates was such that they attracted the sympathy of all the inhabitants of the Regency.

This state of things did not, however, suit the Government of the Republic.

Her Representative required persons who would be submissive in their duties to his authority.

The Judges that were first appointed then resigned their posts, preferring to sacrifice their career in upholding the dignity of the Magistracy. The French Tribunals have been since reconstituted by young Judges, of little experience.

The Italian and French colonists of Tunis are provided at the Tribunals with their respective interpreters, whilst there are none for the Maltese, who have to make themselves understood in Arabic, which is not known by all Maltese.

French and Italian Advocates are officially appointed by the Tribunal to plead for persons belonging to those nationalities. The Maltese are not taken into account.

The accusation brought against the French Tribunals and the Administration are supported by references to several Judgments, two of which—Demofys v. Taboni, and Saint Frères v. Francesco Borg—were submitted to Her Majesty's Secretary of State for Foreign Affairs, and afterwards reported upon by Mr. Drummond Hay. For Demofys v. Taboni, see Foreign Office despatch No. 6 of the 6th May, 1890, and Her Majesty's Consul's reply No. 44 of the 14th June, 1890; and for Saint Frères v. Francesco Borg, see Foreign Office despatch No. 2, Commercial, of the 16th December, 1889; Her Majesty's Consul's Reports in No. 7, Commercial, of the 11th March, 1889; reply from Foreign Office No. 2, Commercial, of the 29th March, 1890. The Committee also quotes passages from the book of M. Pontois, late President of the Tunis Tribunal, during whose time the decisions of the French Tribunal in Tunis appear to have been unimpeachable, as was also shown by a Memorial addressed, in 1886, to Mr. Sandwith (Inclosure No. 5), by numerous British subjects, praying for the suppression of Articles IV, XI, and XVII of the Convention of Commerce of 1863, and expressing their entire satisfaction with the sentences of the French Tribunals.

although there exists an Anglo-Maltese Advocate at the Tribunal.

Why is the Anglo-Maltese colony treated differently to the Italian?

1. Although our colony is the most numerous in the Regency it is now represented only by a Consulate, which was formerly an Agency and Consulate-General. Such a transformation has resulted in our loss of the preponderance we once enjoyed.

In conjunction with these changes, there was the reduction (or rather the withdrawal) of the personnel of the Consulate. In the present day our Representative occupies a humble position in the Consular Corps, as there is a Chargé d'Affaires for Spain, an Agent and Consul-General for Italy, and a Consul-General for Austria-Hungary. These circumstances have tended to lower the standing of our colony.

2. The innovations which have been effected in the Regency have proved detrimental to British interests, whilst the French Government has, step by step, disputed British preponderance in Egypt.

These are, we believe, the principal causes of the present deplorable condition of our colony in Tunisia.

The Undersigned believe that they have sufficiently exhausted the subject they have had the honour to explain. The remaining paragraphs of the Memorial contain only well-known facts, which can, if necessary, be elucidated by the existing Treaties with the Regency.

We are, &c.
(Signed)

G. TESTA FERRATA VISIN,
BENIGNO FARRUGIA,
DR. C. PACE WILLIAMS, M.D. } Merchants.

Tunis, May 26, 1890.

No. 78.

Signor Crispi to Count Tornelli.—(Communicated to the Marquis of Salisbury by Count Tornelli, August 6.)

(Translation.)

M. l'Ambassadeur.

Rome, August 5, 1890.

WHILE your Excellency, in accordance with my instructions, was interchanging ideas with the Principal Secretary of State of Her Britannic Majesty for Foreign Affairs, with a view to anticipate the consequences of an Agreement which was stated to have been concluded between the French Government and the present Bey of Tunis, by which substantial changes would have been introduced into the Sovereignty of the Regency at the death of that Prince, and while details were being expected relative to the first information received, the Marquis of Salisbury communicated to me, through the British Ambassador at Rome, the formal denial given by the Minister for Foreign Affairs of the Republic to the rumours in question.

I wish your Excellency to express, in addition to the thanks which I have requested his Excellency Lord Dufferin to offer to his Government for their friendly and important communication, the satisfaction I feel at the declarations made to you by Lord Salisbury, which give me the certainty that, if the explicit denial of the Cabinet of Paris had not

rendered superfluous for the present the continuance of the discussions, and if other considerations had not rendered their postponement desirable, i.e., in order not to hinder more urgent negotiations now going on between London and Paris, the Governments of Italy and Great Britain would have agreed at once to invite all the Powers interested in the balance of power in the Mediterranean to come to an understanding concerning the measures which a future change in the Sovereignty of the Regency would have rendered necessary. It is the opinion of the Italian Government, which, I hope, is shared by that of the Queen, that, though the present circumstances have allowed us to suspend an examination of possibilities which do not seem close at hand, in case these circumstances should undergo such changes as to recommend the resumption of the discussions concerning the common interests involved in the preservation of the equilibrium of power, the confidential declarations recently exchanged between your Excellency and the Marquis of Salisbury will form the basis of a prompt agreement, sufficient to avoid any serious danger which might menace these same interests. For this reason I consider most valuable the assurances which your Excellency was enabled to communicate to me in the above sense, after the conversation you had with the Principal Secretary of State for Foreign Affairs of Her Britannic Majesty on the 21st ultimo, and I wish his Lordship to know all the value attached to them by the Government of the King.

I have to instruct your Excellency to put this despatch before his Lordship the Marquis of Salisbury, and to furnish him with a copy if he desires it.

(Signed) CRISPI

No. 79.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received August 6, 8.15 P.M.)

(Telegraphic.) P.

Tunis, August 6, 1890, 3.20 P.M.

FRONTIER conflict my telegram of the 2nd.

The Sines of Tripoli were attacked by the Tunisian tribes of Wergama and Euarin, who were assisted by thirty French Spahis; 2,000 sheep were seized, and several men on either side killed and wounded.

No. 80.

The Marquis of Salisbury to Count Torniselli.

M. l'Ambassadeur,

Foreign Office, August 7, 1890.

I HAVE the honour to acquaint your Excellency that telegraphic reports received from Her Majesty's Consular Representatives at Tunis and Tripoli confirm the news, which formed the subject of your inquiries on the 1st instant, that a conflict has taken place on the frontier between Tunis and Tripoli. It appears from these reports that the aggressors were 200 men of a Tunis frontier tribe, who, crossing the boundary, made a raid on Tripolitan territory, carried off a number of sheep and killed or wounded forty-eight men who offered resistance.

Her Majesty's Consul-General at Tripoli adds that a representation on the matter has been addressed by the Vali to the French authorities at Tunis, through the channel of their Consul.

Further particulars relating to this incident are expected, and I shall not fail, on their receipt, to make a further communication to your Excellency.

I have, &c.

(Signed) SALISBURY.

No. 81.

Sir A. Paget to the Marquis of Salisbury.—(Received August 8.)

(No. 220. Confidential.)

My Lord,

Vienna, August 6, 1890.

IN my despatch No. 209 of the 24th ultimo, I had the honour to report to your Lordship that I had acquainted Baron Pasetti with the contradiction given by the French Ambassador, on the authority of M. Ribot, of the rumour that a renunciation had been

signed by the heirs of the Bey of Tunis, at the instance of France, as recorded in your Lordship's telegram No. 45 to the Marquis of Dufferin, and I have now the honour to inform your Lordship that, in an interview I had with Count Kálnoky yesterday, his Excellency reverted to this question.

His Excellency read me a private note which he had received from the Italian Ambassador, dated the 3rd instant, in which it is stated that M. Crispi is seriously anxious, owing to the reports which have reached him respecting the designs and intentions of France with regard to Tripoli.

Count Nigra refers to rumours of disturbances said to be taking place on the frontiers of Tripoli and Tunis, and which M. Crispi is apprehensive may be taken advantage of by the French to enact a further edition of the affair of the Kroumirs, which led to the French occupation of Tunis.

M. Crispi is but moderately reassured by the contradiction given by the French Government to the reports of an Act of Renunciation having been signed by the heirs of the Bey at the instance of France, and entertains a strong conviction, on the contrary, that the French Government harbours the intention of annexing Tunis, if not of proceeding further in the direction of Tripoli.

This, says Count Nigra, would be an act which it would be impossible for Italy to acquiesce in without compensation, and his Excellency then puts the direct question to Count Kálnoky as to what would be the attitude of the Imperial Government in presence of an event which would be so subversive of the balance of power in the Mediterranean, and so menacing to the peace of Europe. Count Nigra makes an urgent appeal to Count Kálnoky to give him such assurances as may tend to tranquillize M. Crispi's anxiety.

Count Kálnoky informed me that his reply to Count Nigra's letter had been in the same sense as that which he had originally given him when he first spoke to him on this subject a few days after he had received the communication which I had made to him of your Lordship's telegram above referred to through Baron Pasetti, and which he considered himself fortunate in being acquainted with, namely, that he entirely disbelieved in the truth of the reports which had reached M. Crispi, and that he thought it most unlikely, taking into consideration the present state of things in France, and the desire of all Europe to maintain peace, that the French Government should be now contemplating an act of such grave importance as the one alluded to, namely, the annexation of Tunis. He could not treat seriously the reported disturbances on the Tripoli-Tunisian frontier as indicating any sinister intentions on the part of France, and he reminded Count Nigra how frequently such disturbances occur amongst the nomadic tribes who infest the borders of those barbarous regions, and how often reports respecting the designs of some of the Powers upon those regions, which turned out to be completely unfounded, were circulated; he instanced especially one which credited France and Spain with having signed a Treaty for the partition of Morocco.

As regards the question as to what would be the attitude of the Imperial Government under the circumstances foreseen in Count Nigra's letter, Count Kálnoky replied that it was impossible for him to enter upon a discussion of a state of things which had not occurred, and which, in his estimation, was not likely to occur; the interests of Austria-Hungary, moreover, were so very remotely concerned in what occurred on the southern coast of the Mediterranean, she had such immense interests to look after in the East of Europe, that he (Count Kálnoky) could only consider the Imperial Government as placed upon the third line of the Powers in respect of them, and all that he could therefore say to Count Nigra upon this subject was to repeat what he had already told him, namely, that if, contrary to his expectations, circumstances should arise which, in the judgment of the Powers most directly interested, should make it desirable to address some diplomatic representation to the French Government with the view to the maintenance of the existing *status quo* and of European peace, he would be ready to join in such representation, but that he could not undertake to go further than diplomatic action.

Count Kálnoky told me he had instructed Count Deym to communicate with your Lordship upon the above subject.

I have, &c.

(Signed) A. PAGET.

The Marquis of Salisbury to Count Tornelli.

M. l'Ambassadeur,

Foreign Office, August 8, 1890.

WITH reference to my note of the 7th instant I have the honour to inform your Excellency that a further telegram has been received from Her Majesty's Consul at Tunis, reporting that in the recent conflict on the Tripolitan frontier, the "Sians" of Tripoli were attacked by a body of men from the Tunisian tribes of Wergama and Tuamn, who were assisted by thirty French Spahis.

I have, &c.
(Signed) SALISBURY.

No. 83.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received August 12.)

(No. 54.)

My Lord,

Tunis, August 7, 1890.

WITH reference to my telegram of the 6th instant, I have the honour to inform your Lordship that the British and Italian Consular Agencies at Gerba are both held by M. Pariente, an Italian subject, who reported the disturbances on the Tripolitan frontier in cypher to Mr. Machiavelli, there being no such means of communication with myself.

I have also learnt from the same source that the Tunisian tribes of Tuamn and Wergama defeated the "Sians," amongst whom many banished Tunisians are said to have settled since the occupation.

This unprovoked attack has greatly exasperated the Tripolitans, who are preparing to recapture their cattle and avenge their dead.

I think it my duty to mention to your Lordship that the tribes on the Tunisian frontiers are under the authority of General Allegro, Governor of Gabes, who was Consul for Tunis at Bône before the French occupation, and is generally acknowledged to have been the chief instigator of the notorious Kroumier insurrection in 1881.

I have, &c.
(Signed) R. DRUMMOND HAY

No. 84.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received August 21.)

(No. 55.)

My Lord,

Tunis, August 14, 1890.

I HAVE the honour to report to your Lordship that the garrison of Bizerta, which has hitherto consisted of a company of artillery, has been reinforced by a detachment of 400 Zouaves.

A railroad on the "Docauville" system has been laid from Bizerta to the stone quarries of Bennegro for the conveyance of building materials, including sand from the neighbourhood, for the construction of barracks and the new quays of the projected harbour.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 85.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received August 27, 8 P.M.)

(Telegraphic.) P.

Tunis, August 27, 1890, 7-10 P.M.

MY telegram of the 2nd.

Report received from Consular Agent at Gabes to the effect that restitution of cattle seized and a peaceful settlement of the dispute have been offered to the Tripoli frontier tribe by the French military authorities.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 1.)

(No. 56.)

My Lord,

Tunis, August 26, 1890.

WITH reference to your Lordship's despatch No. 39 of the 31st May, 1889, directing Mr. Ricketts, in reply to his despatch No. 24 of the 25th March, 1889, to inform Mr. Levy, late Inspector of Customs at Mehadia, that any proposal for a modification of the terms of the arrangement concluded with the French Government on his behalf should be submitted by Mr. Levy himself to the French authorities, I have the honour to submit to your Lordship herewith a copy of a declaration signed by Mr. Levy, stating that he has received a sum of 6,300 piastres, representing eighteen months' advanced pay, and that he agrees to renounce his claim for re-employment by the Tunisian Government on the payment to him of a further sum of 6,500 piastres (equal to 162l. 10s.).

I brought about this compromise with the Tunisian Government in consequence of Mr. Levy's repeated supplications for my intervention on his behalf, but before making any representations to the Resident-General, I obtained Mr. Levy's consent, in writing, to leave the matter entirely in my hands and to accept as final any arrangements that I might succeed in making with the Tunisian Government.

Mr. Levy claimed an indemnity of 5000l., less the eighteen months' salary already received, which was not an exorbitant demand if the Tunisian Government had refused to offer him re-employment, but as there is every probability that some out-of-the-way and undesirable post would have been offered to him, after considerable delay, I think that he has acted wisely in coming to a compromise.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 86.

Declaration of Mr. J. J. Levy.

JE, soussigné J. J. Levy (Issac), déclare et reconnais :—
Que, ayant été relevé de mes fonctions de Receveur des Douanes à Mehadia, par décision du 18 Janvier, 1887, il m'a été alloué une indemnité de non-remplacement de 6,300 piastres, représentant dix-huit mois de mon traitement;

Que, à la suite des pourparlers qui ont eu lieu entre le Département des Affaires Étrangères et l'Ambassadeur de Sa Majesté Britannique à Paris, j'ai été reconnu que ma mise hors fonctions n'avait pas un caractère définitif;

Que, l'Administration Tunisienne se trouvant toutefois dans l'impossibilité de me donner un emploi, je consens expressément, moyennant une nouvelle indemnité de 6,500 piastres, à renoncer à toute réclamation et à toute réintégration dans les cadres de l'Administration Beylicale.

Fait à Mehadia, le 8 Août, 1890.

(Signed) J. J. LEVY.

No. 87.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 2.)

(No. 57.)

My Lord,

Tunis, August 28, 1890.

I HAVE the honour to report to your Lordship that the French gun-boat, "Hirondelle," stationed at Goletta, left that port yesterday for Bizerta.

I have, &c.
(Signed) R. DRUMMOND HAY.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 4.)

(No. 58.)

My Lord,

WITH reference to my preceding despatch, of yesterday's date, I have learnt, from a secret and reliable source, that the sudden departure of the French gun-boat for Bizerta was due to instructions telegraphed to the Resident from Paris that soundings should be immediately taken opposite the proposed canal.

I have, &c.

(Signed) B. DRUMMOND HAY.

No. 89.

Foreign Office to Consul R. Drummond Hay.

(No. 12.)

Sir,

Foreign Office, September 8, 1890.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 58 of the 28th ultimo, reporting the compromise which you have succeeded in arranging in the matter of Mr. Levy's claim against the Tunisian Government, and I am to convey to you his Lordship's approval of your action, as stated therein.

I am, &c.

(Signed) T. H. SANDERSON.

No. 90.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 9)

(No. 89.)

My Lord,

Tunis, September 3, 1890.

WITH reference to my telegram of the 27th ultimo, I have the honour to transmit to your Lordship herewith a translation of a letter I have received from the Acting British Consular Agent at Gerba, containing full details of the steps taken by the French and Tunisian authorities to bring about a peaceful settlement of hostilities with the Sian frontier tribe by returning their cattle, and instituting an official inquiry into the question for the alleged purpose of punishing the offenders.

The Consular Agent also reports that the Commission will endeavour to arrive at an amicable understanding with the Sian for a rectification of the frontiers to the advantage of the Tunisian tribes.

I have, &c.

(Signed) B. DRUMMOND HAY.

Inclosure in No. 90.

Mr. Saada to Consul R. Drummond Hay.

(Translation)
(Confidential)

Sir,

Gerba, August 28, 1890.

WITH reference to my Confidential Report of the 11th instant, I hasten to inform you that, about ten days ago, the officer in charge of the "Bureau de Renseignements" at Zarzis, accompanied by the Governor (Khaifa) of Medenine, the Kadi, four Chiefs (Sheikhs), and with a good number of mounted soldiers, left Medenine for the Tunis-Tripoli frontier.

The authorities of this province, fearing that the Sian were preparing to avenge themselves after their defeat, and desiring to avoid fresh conflicts, which might cause serious complications, took all the cattle to the frontiers in order to return them to the defeated tribes, and to endeavour, at the same time, to allay the excitement by peaceful proposals and the institution of a Court of Inquiry, with the view of leaving them under the impression that the guilty will be punished.

I have been also informed that these persons were chosen to negotiate with the Sian, who have always been hostile, not only on this question, but also to arrive at an understanding with them as to the extension of the limits of the Tunisian frontier on their territory.

It is further reported that there is now no fear of any reprisals on the part of the Tripoli tribes, as they are satisfied with the arrangements made in their favour by the officer of the "Bureau de Renseignements" and the other Notables.

The Mission has not returned yet, but is daily expected.

This information has been collected from a safe source.

I feel it my duty to keep you informed of all that may happen.

I have, &c.

(Signed) N. SAADA,
Acting British Consular Agent.

No. 91.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 22.)

(No. 60.)

My Lord,

Tunis, September 18, 1890.

WITH reference to your Lordship's despatch No. 11 of the 27th ultimo,* I have the honour to report that the Tunisian Government has admitted that a pecuniary compensation is due to Messrs. Battista and Francesco Grech for the indignities to which they were subjected by the police authorities at Kairwan.

Under these circumstances, I have agreed to await the result of the trial at Algiers of the Commissary of Police before discussing with M. Massicault the definite amount of the indemnity, and I have arranged that an instalment of 500l. shall be paid at once to meet the immediate wants of the British subjects.

I beg to inclose a copy of the note addressed to me on the subject by M. Massicault and to state, with regard to the last paragraph, that I had demanded verbally a compensation of 2000l.

M. Massicault raised no objection whatever to the amount, but, on the contrary, gave me to understand that he regarded the demand as just and reasonable.

I have, &c.

(Signed) B. DRUMMOND HAY.

Inclosure in No. 91.

M. Massicault to Consul R. Drummond Hay.

Tunis, le 12 Septembre, 1890.

M le Consul,

PAR votre lettre du 19 Juin vous m'avez demandé d'allouer aux Sieurs Battista et Francesco Grech, sujets Maltais, maltraités par des agents de police de Kairouan, une indemnité pécuniaire et j'ai eu l'honneur de vous répondre, le 20 du même mois, que le Gouvernement Tunisien statuerait sur cette demande quand l'Arrêt de la Cour d'Alger, saisi de cette affaire, lui aurait permis d'apprécier exactement les responsabilités encourues. Le Gouvernement Tunisien, après l'enquête à laquelle il a procédé, ne méconnaît pas qu'une réparation pécuniaire doit être attribuée à vos administrés. A cet effet, je tiens, dès à présent, une somme de 2,000 piastres à votre disposition, et j'aurai soin, dès que la Cour d'Alger aura jugé l'ancien Commissaire de Police de Kairouan, de me consulter avec vous pour un règlement définitif, que nous avons d'ailleurs déjà verbalement préparé.

Agréez, &c.

(Signé) J. MASSICAULT.

* P. L., inclosing copy of Lord Lytton's No. 272, of July 18, 1890.

Foreign Office to Consul R. Drummond Hay.

(No. 13.)

Sir,

I AM directed by the Marquis of Salisbury to convey to you his Lordship's approval of the arrangement you have made with the Tunisian Government, as reported in your despatch No. 60 of the 15th instant, relative to the compensation to be paid to Messrs. Battista and Francesco Grech for the indignities suffered by them at Kairwan.

I am, &c.

(Signed) T. H. SANDERSON

No. 93.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 26.)

(No. 61.)

My Lord,

I HAVE the honour to report to your Lordship the departure, on the 15th instant, of M. Massicault for Paris, and that M. Regnault, the French Consul, is left in charge of the Residency during his absence.

The local newspapers attribute the sudden departure of the Resident to urgent business necessitating his presence at Paris in connection with the new Customs Tariff. I ascertained, however, from M. Massicault before his departure, that M. Ribot had summoned him by telegraph without assigning any reason.

I have, &c.

(Signed) R. DRUMMOND HAY

No. 94.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received September 26.)

(No. 62.)

My Lord,

WITH reference to your Lordship's despatch No. 8 of the 14th July last, I have the honour to report that I shall to-morrow proceed by land to Bizerta in order to inspect the defensive works at that place and in its neighbourhood. I shall take with me, as interpreter, the clerk of the Consulate.

I have, &c.

(Signed) R. DRUMMOND HAY.

No. 95.

The Earl of Lytton to the Marquis of Salisbury.—(Received October 4.)

(No. 338.)

My Lord,

WITH reference to my despatch No. 263 of the 12th July last, I have the honour to transmit herewith to your Lordship copy of a verbal note in which the Minister for Foreign Affairs stated that the question of compensation to the two Maltese, Battista and Francesco Grech, for ill-treatment by the police authorities at Kairwan, has now been settled by friendly agreement between the French Resident-General and Her Majesty's Consul-General.

I have, &c.

(Signed) LYTTON

Note Verbale.

EN appelant, le 11 Juillet dernier, l'attention du Gouvernement Français sur la situation de deux sujets Britanniques, originaires de Malte, les Sieurs Battista et Francesco Grech, qui avaient été quelque temps auparavant maltraités par la police de Kairwan, son Excellence M. l'Ambassadeur d'Angleterre exprimait, à titre officieux, l'espoir qu'une indemnité serait bientôt accordée aux victimes de ses mauvais traitements.

Le Ministre des Affaires Étrangères a l'honneur de porter à la connaissance de M. le Comte de Lytton que l'affaire dont il s'agit vient d'être, à Tunis, résolue à l'amiable, entre le Résident-Général de la République et le Consul Général de Sa Majesté Britannique. Aux termes de l'accord intervenu, une première somme de 2,000 piastres a été allouée par le Gouvernement du Protectorat aux Sieurs Grech. M. Massicault se concertera avec Mr Drummond Hay, pour le règlement définitif qui a été d'ailleurs, véritablement préparé entre eux, dès que la Cour d'Alger, à laquelle a été délégué l'ancien Commissaire de Police de Kairwan, aura rendu son Arrêt.

Paris, le 30 Septembre, 1890.

No. 96.

Foreign Office to Consul R. Drummond Hay

(No. 14.)

Sir,

Foreign Office, October 8, 1890.

I AM directed by the Marquis of Salisbury to inform you that the Italian Ambassador at this Court has inquired whether Her Majesty's Government are in possession of any information in regard to a Company of which a Notice had appeared in the Tunis "Journal Officiel" of the 14th September, to be formed in Paris for constructing a port at Bizertia.

I am to request you to report any information which you may be able to obtain respecting the above Company.

I am, &c.

(Signed) T. H. SANDERSON.

No. 97

Consul-General Sir R. Playfair to the Marquis of Salisbury.—(Received October 18.)

(No. 21.)

My Lord,

Algiers, October 7, 1890.

ON my return to Algiers from leave of absence, I found Sir P. W. Currie's despatch No. 2 of the 23rd July regarding a complaint made by Signor Bartolo against the action of the Tunisian Courts.

Should this case come before the Court of Appeal at Algiers it will no doubt be decided in ordinary course, and on its own merits. It would be manifestly improper for me to take any action regarding it.

I have, &c.

(Signed) R. LAMBERT PLAYFAIR.

No. 98.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received October 20.)

(No. 64.)

My Lord,

Tunis, October 14, 1890.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 14 of the 8th instant, directing me to report any information which I may be able to obtain respecting the formation of a Company in Paris for constructing a port at Bizerta.

I inclose a copy of the Notice in the "Journal Officiel," referred to by the Italian

Ambassador, which I had reserved until my return from Bizerte for insertion in the Report that I am now in the act of preparing.

Your Lordship will observe that the Notice in question bears no official heading or termination, and is included amongst the less important advertisements of the journal.

I had the honour of reporting to your Lordship, in my despatch No. 25 of the 2nd April last, that Messrs. Lesueur and Thompson had undertaken to construct a commercial port at Bizerte for the Beylical Government, and that the Concession for the port and fisheries had been drafted at Paris with the approval of the Minister of Marine.

In my despatches Nos. 28 and 29 of the 14th and 22nd April I furnished a copy of a Beylical Decree fixing the limits of lands to be applied for maritime purposes on the borders of the Lake of Bizerte, and I reported to your Lordship that the Concession for the works of the port had been granted to Messrs. Lesueur and Hersent, who have now appeared as the Directors of the Company in conjunction with M. Couvreur, an engineer, who is Managing Director and resides at Bizerte.

I also reported in my despatch No. 31 of the 6th May last that the British Consular Agent at Bizerte had furnished me with information regarding the proposed port which confirmed my former despatches on the subject—that he had seen the plan of the "commercial" port, and that the agents of the contractors were employed in buying up all land bordering on the lake and the projected site of the harbour.

The French Consul has now informed me that Messrs. Lesueur and Hersent are well-known contractors of high standing in France, and that they constructed the port of Philippeville in Algeria.

He further assured me, in answer to my inquiries, that the shares of the Bizerte Port Company are not guaranteed by the French Government.

I have succeeded in collecting a considerable amount of information on this subject during my late journey, and I hope to complete my Report in the course of a few days.

I have, &c.
(Signed) R. DRUMMOND HAY

Inclosure in No. 98.

Extrait from the "Journal Officiel Tunisien."

AUX termes d'un écrit sous signatures privées en date à Paris, du 31 Mars, 1890, avec diverses modifications portant les dates des 24 Avril et 12 Juin, 1890, dont l'un des originaux a été déposé pour Minute à M. Lefebvre, Notaire à Paris, ainsi qu'il résulte d'un acte dressé par lui et M. Gaston Bazin, son collègue, Notaire à Paris, les 10 et 18 Juillet, 1890 —

M. Hildevert Hersent, Chevalier de la Légion d'Honneur, Entrepreneur de Travaux Publics, demeurant à Paris, Rue de Londres, 60.

M. Abel Couvreur, Entrepreneur de Travaux Publics, demeurant à Paris, Rue d'Anjou, 78.

M. Georges Lesueur, Chevalier de la Légion d'Honneur, Sénateur, Entrepreneur de Travaux Publics, demeurant à Philippeville (Algérie).

Ont établi les Statuts d'une Société Anonyme au capital de 4,000,000 fr.

Ces Statuts renferment notamment les Articles ci après —

Statuts.

Article 1^{er} Il est formé entre les comparants et ceux qui deviendront propriétaires des actions créées ci-après, une Société Anonyme qui a pour objet la construction et l'exploitation d'un port à Bizerte (Tunisie) avec tous les avantages résultant des Concessions qui seront ci-après apportées et avec toutes les opérations qui s'y rattachent.

Art. 2. La Société prend la dénomination de Compagnie du Port de Bizerte (Tunisie).

Art. 3. La durée de la Société est fixée à quatre-vingts ans, à compter du jour de sa constitution définitive.

Cette durée pourra être prorogée par décision de l'assemblée générale des actionnaires, composée comme pour les modifications aux Statuts.

Art. 4. Le siège de la Société est à Paris, 78, Rue d'Anjou; il pourra être transporté dans tout autre endroit par simple décision du Conseil d'Administration.

Indépendamment de son siège social, la Société sera tenue pour ses rapports avec le

Gouvernement Tunisien, pendant toute la durée de la Concession, de faire élection de domicile à Bizerte et de faire résider en cette ville un représentant muni de tous les pouvoirs nécessaires aussi bien pour la construction que pour l'exploitation du port.

Art. 5. MM. Hersent et A. Couvreur, fils, apportent conjointement à la Société, Les Concessions qui ont été faites à MM. Hersent et A. Couvreur, Fils, par le Gouvernement Tunisien, aux termes d'un Décret en date du 17 Février, 1890, du droit d'établir et d'exploiter un port à Bizerte (Tunisie).

Ces Concessions sont apportées, telles qu'elles ont été accordées à MM. Hersent et A. Couvreur, Fils, sans réserve de leur part avec tous les droits actifs et passifs, qui y sont attachés, sans aucune réserve; en conséquence la Société sera substituée aux lieux et place de MM. Hersent et A. Couvreur, Fils, et devra remplir en leur lieu et place toutes les conditions et obligations imposées de manière qu'ils ne puissent être inquiétés ni recherchés pour quelque cause que ce soit par des tiers, étant entendu que les concessionnaires restent également responsables devant l'État jusqu'à la réception des travaux.

MM. Lesueur, A. Couvreur, Fils, et Hersent apportent conjointement à la Société:—
1. Les études, plans, et devis faits depuis l'année 1883 pour arriver à l'obtention des dites Concessions et à la constitution de la présente Société.

2. Tous travaux entrepris ou en cours d'entreprise dans la région de Bizerte, ainsi que le matériel, marchandises, approvisionnements pouvant se trouver sur les chantiers.

3. Tous cautionnements qui ont pu être fournis, ainsi que tous traités et marchés en cours.

4. Et tous baux et locations qui ont pu être consentis aux fondateurs.

Art. 6. En représentation de ces rapports, il est attribué aux fondateurs une part de 20 pour cent dans les bénéfices proprement dits de l'entreprise, après les prélèvements stipulés dans l'Article 46 ci-après.

Ces 20 pour cent seront représentés par des parts de fondateur ainsi qu'il sera dit ci-après sous l'Article 55.

En outre, la présente Société devra rembourser aux fondateurs aussitôt après sa constitution définitive toutes les sommes dont ceux-ci justifieraient avoir fait l'avance pour études et travaux préparatoires, ainsi que les dépenses effectuées jusqu'au jour de la constitution de la Société pour matériel, cautionnement, achats divers et en général pour toutes causes concernant la dite Concession sous déduction de toutes les sommes qui pourraient être dues aux dits fondateurs pour la même cause, et ce d'après le compte qui aura été accepté par l'assemblée générale des actionnaires.

Art. 7. Le fonds social est fixé à 4,000,000 fr., divisés en 800 actions de 5,000 fr. chacune, il pourra être augmenté par une simple décision de l'assemblée générale des actionnaires.

Chaque action donne droit à une part égale dans les bénéfices et dans la propriété de l'actif social.

Art. 8. Le montant des actions est payable à Paris, savoir:—
2,500 fr. lors de la souscription, et les autres quartes conformément aux appels faits par le Conseil d'Administration qui fixera les époques où les versements devront être effectués.

Les dits appels auront lieu au moyen d'annonces publiées au moins un mois à l'avance dans un des journaux désignés pour les annonces légales à Paris.

Art. 9. Les actions seront nominatives même après leur libération définitive. Les actions seront délivrées libérées de 2,500 fr., les versements ultérieurs seront mentionnés sur les titres.

Art. 20. La Société est administrée par un Conseil composé de trois membres au moins et de cinq au plus, pris parmi les associés, nommés et révocables par l'assemblée générale des actionnaires; ils devront être agréés par le Gouvernement Tunisien.

Les premiers Administrateurs dès à présent nommés devront rester pendant trois ans en fonctions à partir de la constitution définitive de la Société.

Ce sont:

1. M. Hildevert Hersent.
2. M. Abel Couvreur, Fils.
3. M. Georges Lesueur.

Tous trois fondateurs ci-dessus nommés qualifiés et domiciliés.

Cette nomination ne sera pas soumise à l'approbation de l'assemblée générale. Les pouvoirs du Conseil qui vient d'être nommé statutairement pourront être portés à six ans par l'assemblée générale constitutive.

Le Conseil pourra se compléter par l'adjonction de deux autres membres, dont la nomination sera soumise à la prochaine assemblée générale.

Art. 22. A l'expiration du terme pour lequel le premier Conseil se trouvera nommé, il sera renouvelé entièrement.

Ensuite le renouvellement se fera soit par tiers, soit par cinquième, d'année en année, suivant le nombre de ses membres.

Les membres sortants peuvent toujours être réélus.

En cas de vacance par décès, démission, ou autre cause, le Conseil pourvoit provisoirement au remplacement jusqu'à la prochaine assemblée générale qui procède à l'élection définitive.

Toutefois le Conseil ne sera tenu de droit au remplacement que dans le cas où le nombre des Administrateurs serait descendu au-dessous de trois.

L'Administrateur nommé en remplacement d'un autre, dont le mandat n'était pas expiré ne demeure en fonctions que pendant le temps à courir de l'exercice de son prédécesseur.

De même l'Administrateur nommé dans le courant des trois ou cinq années, période de renouvellement du Conseil, ne demeure en fonctions que pendant le temps restant à courir pour atteindre l'achèvement de la période de trois ou cinq ans, de façon à ce que son mandat expire toujours en même temps que celui des autres Administrateurs.

Art. 23. Les délibérations sont constatées par des procès-verbaux, qui sont portés sur un registre spécial tenu au siège de la Société, et signés par l'Administrateur qui aura présidé la séance et un des Administrateurs qui y ont pris part.

Les copies et extraits à produire en justice et ailleurs sont certifiés par le Président du Conseil, et, à son défaut, par un Administrateur.

Art. 24. Le Conseil d'Administration a les pouvoirs les plus étendus pour l'administration des affaires de la Société.

Il fait et autorise par ses délibérations tous les actes rentrant dans l'objet de la Société, aux termes de l'Article 1^{er} ci-dessus, et notamment

Il pourvoit à l'exécution des obligations résultant des Concessions qui ont pu ou pourront lui être accordées des Résolutions adoptées par les assemblées générales.

Il nomme et révoque les employés et agents de la Société, il détermine leurs attributions, il fixe les traitements, salaires, et gratifications.

Il arrête les comptes qui doivent être fournis à l'assemblée générale, et propose les répartitions de dividendes.

Il fait tous traités avec tous ingénieurs et hommes spéciaux à l'effet d'exécuter ou de diriger les travaux de l'entreprise, et leur alloue les traitements et honoraires qu'il juge convenables, comme aussi tous traités pour achats et ventes d'approvisionnement, matériaux, machines, engins, appareils, et autres objets nécessaires à la construction et à l'exploitation.

Il fixe et modifie les droits et tarifs à percevoir, les conditions et mode de perception des dits droits et tarifs.

Il organise tous les services intérieurs et dresse tous Règlements à cet effet.

Il arrête les propositions à soumettre aux assemblées générales.

Il fait l'acquisition de tous titres de Compagnies ou Sociétés, et le rachat de toutes Concessions dont l'objet est en rapport avec celui de la présente Société, il fait aussi tous marchés et traités, toutes transactions mobilières ou immobilières, signe tous transferts de rente et autres valeurs, achète, vend, échange tous biens, meubles et immeubles, touche toutes sommes, en donne toutes quittances et décharges, consent tous déistements d'hypothèque, privilège, et action résolutoire partiels ou définitifs, toutes mainlevées d'oppositions, saisies, ou inscriptions, le tout avec ou sans paiement.

Il détermine le placement des fonds disponibles et règle l'emploi de la réserve.

Il traite, transige, et compromet sur tous les intérêts de la Société.

Le Conseil d'Administration pris en la personne de son Président, représente la Société pour tout et partout et en justice, tant en demandant qu'en défendant; en conséquence c'est à sa requête ou contre lui que doivent être intentées toutes actions judiciaires.

Enfin le Conseil statue sur toutes les questions qui intéressent la Société, les pouvoirs ci-dessus n'étant qu'indicatifs et non limitatifs.

Art. 25. Le Conseil peut déléguer pour la plus prompt exécution des affaires courantes, tout ou partie de ses pouvoirs soit à un ou plusieurs de ses membres, soit à un Directeur pris parmi ses membres ou en dehors du Conseil, soit à un ou plusieurs tiers même étrangers à la Société dans les termes qu'il jugera convenables.

Art. 26. L'assemblée générale, régulièrement constituée, représente l'universalité des actionnaires.

Les délibérations prises conformément aux Statuts obligent les actionnaires absents ou dissidents.

Art. 27. Les copies ou extraits à produire en justice ou ailleurs des délibérations de l'Assemblée, sont signés par le Président du Conseil d'Administration, ou, à son défaut, par un Administrateur.

Art. 28. Les produits de l'entreprise servent d'abord à acquitter dans l'ordre ci-après :—

1. Les frais généraux et les dépenses de construction et d'exploitation d'entretien et d'administration et généralement toutes les charges afférentes à ces divers services.

2. L'intérêt et l'amortissement des obligations et des emprunts qui peuvent avoir été émis ou contractés.

3. Les intérêts à 5 pour cent des actions, sauf toutefois ce qui sera dit ci-après pour les actions amorties.

4. Sur le solde restant ou produit net :

5 pour cent sont affectés à la constitution du fonds de réserve légale.

Et l'excédent du produit net après ces divers prélèvements constitue les bénéfices proprement dits de l'entreprise, lesquels sont répartis comme suit :—

20 pour cent aux parts de fondateur ci-après créées,

10 pour cent aux Administrateurs;

70 pour cent comme dividende à répartir entre toutes les actions amorties ou non amorties.

Les actions amorties seront représentées par des actions de jouissance qui n'auront droit qu'à la portion de dividende excédant le 5 pour cent du capital qui leur aura été remboursé, tout ce qui représentera l'intérêt à 5 pour cent du capital remboursé, sera versé au fonds d'amortissement dont il va être parlé sous l'Article 30 ci-après.

Art. 29. Le fonds de réserve se compose de l'accumulation des sommes produites par le prélèvement annuel opéré sur les bénéfices, en exécution de l'Article 40.

Lorsque ce fonds de réserve aura atteint le dixième du fonds social, le prélèvement affecté à sa création cesse d'être obligatoire; il reprend son cours si la réserve vient à être entamée.

Le fonds de réserve est destiné à parer aux événements imprévus.

II

Suivant acte reçu par MM. Lefebvre et Gaston Bazin, Notaires à Paris, le 30 Juillet 1890, MM. Hénoc, Courreux, et Lesueur, fondateurs de la Compagnie du Port de Bizerte (Tunisie), ont déclaré que les 800 actions de 5,000 fr. chacune à souscrire en numéraire, avaient été entièrement souscrites et qu'il avait versé par chaque souscripteur la moitié du capital des actions par lui souscrites.

Une liste de souscription et de versement est demeurée annexée au dit acte.

III

Aux termes d'une délibération en date du 5 Août, 1890, dont procès-verbal a été dressé par MM. Lefebvre et Gaston Bazin, Notaires à Paris, l'assemblée générale des actionnaires de la Compagnie du Port de Bizerte (Tunisie) a reconnu à l'unanimité la sincérité de souscription des 800 actions émises, et le versement de la moitié du capital sur chacune de ces actions.

Elle a désigné M. Narcisse Lapôtre, rentier, demeurant à Paris, Rue Labruyère, 15.

A l'effet d'aider la valeur des apports faits par les fondateurs et les avantages stipulés tant en représentation des dits apports qu'en profit des Administrateurs.

Par une deuxième délibération, en date du 13 Août, 1890, dont procès-verbal a été dressé par MM. Lefebvre et Gaston Bazin, Notaires à Paris, l'assemblée générale des actionnaires de la Compagnie du Port de Bizerte (Tunisie) a :—

1. Adopté les conclusions du Rapport de M. Lapôtre, et approuvé les avantages stipulés en profit des fondateurs et des Administrateurs;

2. Porté de trois à six ans la durée des fonctions des Administrateurs nommés par les Statuts, et constaté l'acceptation de leurs fonctions par les dits Administrateurs, qui sont :—

M. Hildevert Hersent.

M. Abel Courreux.

Et M. Georges Lesueur.

Tous ci-dessus prénommés, qualifiés, et domiciliés;

3. Nommé comme Commissaires pour faire un Rapport à l'assemblée générale sur les comptes du premier Exercice social, et sur la situation de la Société, conformément à la loi, avec pouvoir spécial pour les Commissaires d'agir ensemble ou séparément :—

M. Narcisse Lapôtre, ci-dessus qualifié et domicilié,
Et M. Philippe Félix Stieldorff, Directeur de la Compagnie Algérienne, demeurant à
Paris, Rue des Capucines, No. 9.

MM Lapôtre et Stieldorff présents à l'assemblée ont accepté ces fonctions,
4. Et déclaré la Société dite : Compagnie du Port de Bizerte (Tunisie), définitivement
constituée.

Une expédition des Statuts, une expédition de l'acte de déclaration de souscription et
de versement, ensuite de laquelle se trouve une copie de la liste des souscripteurs et de
l'état des versements effectués, ainsi qu'une expédition de chacun des procès-verbaux des
deux assemblées générales constitutives ont été déposées un même jour 29 Août, 1890, à
chacun des greffes de la Justice de Paix du 6^e Arrondissement de Paris et du Tribunal de
Commerce de la Seine.

Pour extrait :
Les Administrateurs,
(Signé) HERSENT, COUVREUX, et LESUEUR.

No. 99.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received October 20.)

(No. 65.)

My Lord,

Tunis, October 14, 1890.

WITH reference to my despatch No. 64 of this date I have the honour to transmit
to your Lordship herewith a copy of a Beylical Decree, dated the 9th September, 1890,
relating to the expropriation of lands required for the construction of the port of Bizerte,
in accordance with the demands of the contractors, Messrs. Hersent and Couvreur.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 99.

Decree dated 25 Moharrem, 1306 (September 9, 1890).

Louanges à Dieu !

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunis,

Vu le Décret du 20 Moharrem, 1275, au sujet de l'expropriation pour cause d'utilité
publique ;

Vu la demande présentée, à la date du 14 Août, 1890, par MM Hersent et Couvreur,
entrepreneurs de la construction du port de Bizerte ;

Considérant que l'expropriation de ces terrains est nécessaire à l'installation des
chantiers de construction du dit port ;

Sur la proposition de notre Directeur-Général des Travaux Publics,

Nous avons pris le Décret suivant :—

Article 1^{er}. Sont expropriées pour cause d'utilité publique, les parcelles de terrains,
sises à Bizerte, numérotées : 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19,
sur le plan ci-annexé et dont les propriétaires présumés sont désignés ci-dessous :—

Numéros des Parcelles.	Noms des Propriétaires ou présomés tels.	Domicile des Propriétaires.
1	Pellicot	"
2	Cagnant	"
3	"	"
4	"	"
5	"	"
6	"	"
7	"	"
8	"	"
9	Spizachino,* Représentant	Bizerte,
10	Aïux	Tunis.
11	Spizachino,* Représentant	Piserte.
12	"	"
13	"	"
14	"	"
15	Bernard	"
16	Modig also	Tunis.
17	Proust	"
18	Couq	Bizerte
19	Elat	"

* British Consular Agent.

Art. 2. L'expropriation sera poursuivie conformément au Décret du 20 Moharrem,
1275.

Art. 3. Le Directeur-Général des Travaux Publics est chargé de l'exécution du
présent Décret.

Vu pour promulgation et mise à exécution
Le Ministre Plénipotentiaire, Résident-Général
de la République Française,
(Signé) J. MASSICAULT.

Tunis, le 10 Septembre, 1890.

No. 100.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received October 22.)

(Telegraphic.) P

Tunis, October 22, 1890.

TWO French officers and a French Colonel of Engineers started for the frontiers of
Tripoli last week.

It is reported that fresh troubles have arisen in consequence of the opposition of the
tribes to military surveys being made on territory in dispute.

No. 101.

Memorandum by Mr. Cockerell

THE grievances enumerated in the Memorial of the British subjects in Tunis to Lord
Salisbury of the 28th May, 1890,* resolve themselves into eight heads :—

1. The Octroi Tax. Consul Hay observes that this tax is not an innovation of the
French régime, it having been in force before the establishment of the Protectorate.

2. The Municipal Abattoir Tax. This does not appear to be a tax against which we
can protest as of right, but the attention of the Tunisian Government might be called to
the Regulations of the 30th March, 1891, drawn up by the Consular Body at Tangier,
and the Moorish authorities for the payment of the agrarian and gate tax. The adoption
of similar Regulations might be recommended to the Tunisian Government.

3. The Communal Tax. Though, perhaps, unnecessarily onerous, there is apparently
no just cause of complaint on the part of foreigners. If, as Consul Hay states, the
Municipality have exceeded their powers in certain instances, such as the case of Mr. Diacono,
there would be a ground for remonstrance in individual cases.

* No. 77.

The argument used by Consul Hay does not seem to be applicable, when he states: "The Municipality appear to have considerably exceeded their powers in this instance, as proofs can be shown that before the introduction of French jurisdiction, their Regulations had to be confirmed by Judgments from the Consular Courts in the cases of foreigners."*

I apprehend that the Regulations of the Municipality are not contrary to Treaty rights if authorized by the French Tribunals.

The case of Ellul referred to in the Memorial was considered, and Acting Consul Carbonaro was informed that the acts complained of by Mr. Ellul did not constitute a violation of the Treaty rights of British subjects. (To Acting Consul Carbonaro, No. 45, of the 2nd August, 1889.)

4. Irregularities committed by the officials employed in collecting taxes. This is clearly a matter in which we can only interfere where specific cases of wrongdoing can be shown.

5. The prohibition of the import of fruit and vegetables from Malta, under pretext of guarding against phylloxera.

Consul Hay does not transmit copy of the Law referred to, nor does he give the date of it. It appears to be the Decree of the 17th February, 1886. (See "Dictionnaire de la Législation Tunisienne"—Phylloxera, pp. 262 and 253 annexed.)

The prohibition seems to be in violation of Article VII of the Anglo-Tunisian Treaty of the 19th July, 1875, which states: "His Highness the Bey engages that he will not prohibit the importation into the Regency of any article, the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving."

The pretext of phylloxera is said by the memorialists to be a colourable one only, and if this can be shown to be the case, the action of the Tunisian authorities might be protested against.

But Consul Hay observes that the Law applies to all countries, including France as well as Malta. The Decree of the 2nd January, 1887 (p. 255 of volume mentioned above), specifies that an exception is made in favour of such products coming from Algeria.

6. Increase of the Water Tax. This appears to be a matter in which the Municipality are within their right, and it affords no ground for a representation, as a violation of Treaty rights.

7. Tax on Urban Property. Instructions as to this have already been sent to the Acting Consul at Tunis. (To Acting Consul Carbonaro, No. 47, the 31st October, 1889.) M. Carbonaro was informed that there was no ground for objecting to the tax, if imposed on natives of Tunis and British subjects alike, but that if the latter considered themselves wrongly assessed they should appeal to the French Tribunals. These instructions, Consul Hay reports, have been carefully followed, but he adds that the tax is seriously resented, and that a Memorial on the subject will probably be submitted to the Tunisian Government and to the foreign Consuls.

8. Vague charges of partiality and denial of justice on the part of the French Judges.

As has been observed above (para. 4), this is again a matter in which we can only interfere where specific acts of miscarriage of justice can be shown to have been committed.

The sum of the matter appears to be that there is no point in the Memorial, with the exception perhaps of the prohibited import of vegetables from Malta (section 5), in which Treaty obligations have been shown to be violated, and the question for consideration seems to be one rather of policy than of Treaty right.

W. A. C.

October 23, 1890.

No. 102.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received October 28.)

(No. 66.)
My Lord,

Tunis, October 21, 1890.

I HAVE the honour to inform your Lordship that the "Dépêche Tunisienne" has announced the appointment of M. Paul Bourde to be "Directeur des Contrôles Civils et

* See to Consul Rickards, No. 22, of February 20; and to Acting Consul Carbonaro, No. 45, of August 2, 1889.

des Renseignements en Tunisie," a new post created by the President of the French Republic, at the instigation of M. Ribot.

M. Paul Bourde is a journalist by profession, and has written a series of interesting articles this year on Tunis, which appeared in the "Temps" and the "Dépêche Tunisienne."

The creation of this post and the choice of M. Bourde appear to have given general satisfaction amongst French colonists, who hope that with his appointment a new era for agriculture will commence in Tunisia.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 103.

Foreign Office to the Law Officers of the Crown.

Foreign Office, October 30, 1890

Gentlemen,

I HAVE the honour to transmit to you, by direction of the Marquis of Salisbury the papers noted in the accompanying list,* which relate to complaints of the British Colony in Tunis against certain taxes imposed upon the community since the establishment of the French Protectorate over the Regency. The Memorial embodying these complaints was referred to Her Majesty's Consul at Tunis for his observations, and his remarks will be found in the despatch annexed. (See Consul Drummond Hay, No. 53, of the 29th July, 1890.)

The grievances enumerated appear to resolve themselves into eight heads:—

1. The Octroi Taxes.

Consul Hay observes that these taxes are not an innovation of the French régime, having been in force before the establishment of the Protectorate.

2. The Municipal Abattoir Taxes.

Lord Salisbury is in some doubt whether these are taxes against which Her Majesty's Government can protest as of right, but his Lordship considers that the attention of the Tunisian Government might properly be called to the Regulations of the 30th March, 1881, drawn up by the Consular Body at Tangier, and the March authorities, for the payment of the agrarian and gate tax (See "Morocco No. 1, 1882"), and that the adoption of similar Regulations might be recommended to the Tunisian Government.†

3. The Communal Taxes.

These taxes appear to be unnecessarily onerous, but it is questionable whether there is any just cause of complaint on the part of foreigners, and his Lordship would be glad to be informed whether you concur in this view. If, as Consul Hay states, the Municipality have exceeded their powers in certain instances (such as the case of Mr. Diacono, cited by the memorialists) there might, perhaps, be a ground for remonstrance in such individual cases.

The argument used by Consul Hay does not seem to be applicable, when he states "The Municipality appear to have considerably exceeded their powers in this instance, as proofs can be shown that before the introduction of French jurisdiction their Regulations had to be confirmed by Judgments from the Consular Courts in the cases of foreigners."

It is apprehended that the Regulations of the Municipality are not contrary to Treaty rights, if authorized by the French Tribunals in Tunis (to Consul Rickards, No. 22, of the 20th February, and to Acting Consul Carbonaro, No. 45, of the 2nd August, 1889), but his Lordship desires to be favoured with your opinion upon this point.

The case of Ellul, alluded to in the Memorial, has already formed the subject of a reference to yourselves (See Law Officers' Report, herewith, France, No. 15, of the 11th July, 1889), and, in consequence of the opinion then expressed by you, the Acting Consul at Tunis was informed that the acts complained of by Mr. Ellul did not constitute a violation of the Treaty rights of British subjects (to Acting Consul Carbonaro, No. 14 of the 2nd August, 1889).

4. Irregularities committed by the officials employed in collecting taxes.

* Memorial of British subjects in Tunis, December 27, 1889. Consul R. Drummond Hay, No. 53, July 29, 1890. Regulations as to payment of agrarian and gate tax, "Morocco No. 1 (1882)," to Consul Rickards, No. 22, February 20, to Acting Consul Carbonaro, No. 45, August 2, 1889, "Dictionnaire de la Législation Tunisienne," Anglo-Tunisian Treaty, July 19, 1875, "Tunis No. 1 (1876)," to Acting Consul Carbonaro, No. 47, October 31. Law Officers' Report ("France No. 15"), July 11, 1889.
† The Law Officers in their Report of November 13 did not express any opinion on this point.

This would appear to be a matter in which Her Majesty's Government can only interfere where specific cases of wrongdoing can be shown.

5. The prohibition of the import of fruit and vegetables from Malta under pretext of guarding against the introduction of phylloxera.

The Law applicable to this matter appears to be the Decree of the 17th February, 1886 (see "Dictionnaire de la Législation Tunisienne"—Phylloxera, pp. 282 and 283 annexed). The prohibition seems to be in violation of Article VII of the Anglo-Tunisian Treaty of the 19th July, 1875, which states: "His Highness the Bey engages that he will not prohibit the importation into the Regency of any article the produce or manufacture of the dominions and possessions of Her Britannic Majesty from whatever place arriving."

But Consul Hay explains that the Law applies to all countries, including France as well as Malta, though by the Decree of the 2nd January, 1887 (see p. 253 of volume mentioned above) an exception is made in favour of such products when coming from Algiers. Even if the prohibition be, as is alleged, an infraction of Treaty rights, strictly interpreted, it becomes a question whether, having in view that the prohibition applies to all countries beyond the sea equally, an exemption in favour of British subjects could equitably be demanded.

6. Increase of the Water Tax.

This appears to be a matter in which the Municipality are within their right, and affords no ground for a representation as a violation of Treaty rights.

7. Tax on Urban Property.

Instructions as to this have already been sent to the Acting Consul at Tunis (to Acting Consul Carbonaro No 47, October 31, 1889). Mr Carbonaro was informed that there was no ground for objecting to the tax, if imposed on natives of Tunis and British subjects alike, but that if the latter considered themselves wrongly assessed they should appeal to the French Tribunals. These instructions, Consul Hay reports, have been carefully followed, but he adds that the tax is seriously resented, and that a Memorial on the subject will probably be submitted to the Tunisian Government and to the foreign Consuls.

8. Vague charges of partiality and denial of justice on the part of the French Judges.

As has been observed above (para. 4) this would appear also to be a matter in which Her Majesty's Government can interfere only where specific acts of miscarriage of justice can be shown to have been committed.

I am to request that you will take the papers transmitted herewith into your consideration, and that you will inform Lord Salisbury whether you agree generally in the views which have been shortly indicated in this letter with respect to the various subheads of complaint put forward in the Memorial, and will, at the same time, favour him with a more specific opinion on any point arising upon the Memorial with reference to which you may consider it, from a legal point of view, desirable that Her Majesty's Consul should receive more detailed instructions.

I am, &c.
(Signed) P. CURRIE.

No. 104.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received October 31.)

(No 67.)

My Lord,

Tunis, October 25, 1890.

I HAVE the honour to transmit to your Lordship herewith a copy of a Beylical Decree dated the 9th October, 1890, extracted from the "Journal Officiel" of the 11th instant, notifying the Budget for the year 1308 of the Hegira, which commenced on the 18th instant, and annexing a Report of M. Regnault, the Acting Resident-General.

The receipts are estimated at 924,437l., and the expenditure at 928,560l.

The ordinary expenditure shows an increase in comparison with the past year of 111,181l., which will be required by the Treasury to meet the expenses of the Government in taking over the administration of the tobacco and salt monopolies and in the introduction of a monetary reform.

The credits for Public Works, Chapter VI, which show a slight diminution from 189,877l. to 181,877l., do not provide for the continuation of the Tunis and Bizerta port works. These are brought under Chapter X, "Dotations Spéciales," marked "Mémoire."

It is, however, stated in the Report that the expenditure will be met by "important resources," dedicated to this object by a Decree of the 31st July, 1890, of which a copy is inclosed, notifying the adjustment of the Budget of 1308.

These funds amount to 184,418l., of which 114,966l. will be expended on the port of Tunis, and 69,450l. on the "maritime works of the commercial port of Bizerta," during (1308) the year ending the 13th October, 1891.

It appears strange that notwithstanding the formation lately of the Port of Bizerta Company, with an alleged capital of 4,000,000 fr., the Tunisian Government should still continue to provide a special fund for the expenses in connection with the works of the new port, as shown by the Budget for the year 1308.

I have, &c.
(Signed) R. DRUMMOND HAY

Inclosure I in No. 104.

Extract from the "Journal Officiel Tunisien" of October 11, 1890.

Rapport à Son Altesse le Bey.

Monseigneur,

J'AI l'honneur de présenter à votre Altesse le Budget Général de l'Etat pour l'Exercice 1308, qui commence le 15 Octobre courant.

Ce Budget a été préparé sous la direction de M. le Résident-Général par le Conseil des Ministres et Chefs de Services conformément au Décret du 3 Djeumadi-el-Aoual, 1300 (12 Mars, 1883).

	Pr.
Les recettes y sont prévues pour une somme de	86,977,600 00
Et présentement, par rapport aux prévisions de 36,000 fr. et	86,942,432 02
Un excédent de	35,067 58

Les évaluations de recettes, basées sur la situation du pays, et les résultats probables des futures régies dont je parlerai tout à l'heure, paraissent aussi sûres que possible.

Votre Altesse remarquera qu'elles comprennent sous le titre d'excédents probables de l'Exercice en cours (1307) une somme de 5,300,000 piastres, dès maintenant assurée.

Les prévisions des dépenses ordinaires présentent une augmentation de 4,447,253 07 piastres par rapport au chiffre (42,498 179 55 piastres) des crédits de l'Exercice en cours (1307). Cette augmentation porte principalement sur le Chapitre 1^{er} (Direction des Finances) dont les crédits ont dû être accrus pour deux causes, savoir: (1) la prise en régie, à partir du 1^{er} Janvier, 1891, de l'Administration des Monopoles des Tabacs et du Sel, ainsi que de la perception des droits au Fondouk El Ghalla (marché aux légumes) de Tunis, monopoles et marché actuellement affermés; (2) la réforme monétaire.

La première de ces mesures marquera un pas décisif dans la voie de la suppression des fermages où la Direction des Finances est entrée depuis plusieurs années déjà; elle doit naturellement se traduire par un accroissement de recettes qui ne tardera vraisemblablement pas à compenser et au delà les dépenses de cette nouvelle organisation.

Quant à la réforme monétaire, depuis longtemps à l'étude, elle s'impose absolument sous l'influence de phénomènes économiques accentués encore par la Loi Douanière Française du 19 Juillet, 1890 et il est nécessaire de prévoir dans le Budget de 1308 les frais de sa réalisation. Elle ne pouvant être ajournée davantage dans l'état économique de la Régence.

Les crédits de l'Administration Générale présentent également une augmentation de 650,000 piastres environ, justifiée par l'extension des divers services qui y sont rattachés au point de vue budgétaire: gendarmerie, service pénitentiaire, frais de justice, contrôles civils, &c.).

Le Chapitre de l'Enseignement Public s'élève de 784,485 piastres à près de 935,000 piastres.

Seuls, les crédits alloués à la Direction Générale des Travaux Publics subissent une légère diminution: 7,275 000 piastres au lieu de 7,567,100 piastres, mais l'importance de ce service n'en souffrira aucune atteinte car outre les crédits que lui ouvre aussi le Budget ordinaire de 1308, il disposera pendant cet exercice, à titre de dotations spéciales, des importantes ressources affectées à cet objet par le Décret du 16 Hidjé, 1307 (31 Juillet, 1890), portant règlement du Budget de l'Exercice 1306. Ces ressources ont été liquidées

[408]

par ce Décret à 7,376,553-02 piastres, dont 4,598,553-02 piastres affectées à la continuation du port de Tunis, et 2,778,000 piastres aux travaux maritimes du port commercial de Bizerte.

Si votre Altesse approuve le Budget dont je viens de lui exposer les données générales, je la prie de vouloir bien revêtir de son sceau le Décret que j'ai l'honneur de lui remettre ci-joint.

Le Consul de France, Délégué à la Résidence Générale
de la République Française,
(Signé) E. REGNAULT.

Tunis, le 7 Octobre, 1890.

Décret du 24 Sep, 1308 (8 Octobre, 1890).

Louanges à Dieu !

NOUS, Ali Pacha Bey, Possesseur du Royaume de Tunis,
Vu le Décret du 8 Djoumadi-el-Aoual, 1300 (12 Mars, 1893) ;

Nous avons décrété :

Article Unique.—Le Budget de l'Etat pour l'Exercice 1308, qui commencera le 18 Octobre, 1890, est arrêté conformément aux Tableaux annexés au présent Décret.

Vu pour promulgation et mise à exécution

Le Consul de France, Délégué à la Résidence Générale
de la République Française,
(Signé) E. REGNAULT.

Tunis, le 9 Octobre, 1890.

EXERCICE 1308.

BUDGET DES RECETTES.

CHAPITRE I^{er}.—Contributions Directes.

Section 1^{re}.—Medjba.

	Fr.
1. Produit de la Medjba	5,000,000 00

Section 2.—Dimes.

2. Ration des oliviers et dattiers	2,300,000 00
3. Dime sur les oliviers	500,000 00
4. Achour payable en nature	2,000,000 00
5. Achour payable en argent	1,200,000 00

Section 3.—Miradja.

6. Produit des Miradja	67,000 00
--------------------------------	-----------

CHAPITRE II.—Contributions Indirectes.

Section 1^{re}.

7. Douanes—	
Droits à l'exportation	2,200,000 00
Droits à l'importation et droits saumons	1,200,000 00
Droits sur les vins et spiritueux	200,000 00
Régime sur la vente et les loyers des immeubles	500,000 00
Timbre	700,000 00

Section 2.

8. Monopoles et marchés—	
Affectés	1,400,000 00
Non affectés	4,453,000 00

Section 3.

9. Produits des Mahanista	2,900,000 00
10. Rhodora	100,000 00

CHAPITRE III.—Droits Maritimes et de Port.

	Fr.
11. Droits annuels	80,000 00
12. Droits de port	14,000 00

CHAPITRE IV.—Produits divers.

Section 1^{re}.

13. Produits des domaines	600,000 00
14. Produits des forêts	350,000 00
15. Produits des mines	5,500 00

Section 2.

16. Droits de Chancellerie du Nicham Istikar	75,000 00
17. Cert. de coupons antérieurs à 1870 appartenant à l'Etat et sortis aux tirages	1,500,000 00
18. Produit de la vente des valeurs appartenant au fonds de réserve	1,500,000 00
19. Contribution de l'Administration des Habous	1,600,000 00
20. Droits et taxes divers, amendes, revenus éventuels	987,000 00
21. Excédents probables de l'Exercice 1307	8,300,000 00

CHAPITRE V.—Produit de l'Office des Postes et des Télégraphes.

22. Produits des Postes	600,000 00
23. Produits des Télégraphes	450,000 67
24. Subvention reçue de la Caisse d'Epargne de France	13,333 38

CHAPITRE VI.—Recettes consacrées aux Dépenses d'Exercices clos.

25. Rappel des recettes non employées pendant les Exercices antérieurs	Mémoire
--	---------

CHAPITRE VII.—Dotations Spéciales.

26. Port de Tunis (somme qui restera disponible à la clôture de l'Exercice 1307 et recettes nouvelles à réaliser dans le courant de l'Exercice 1308)	Mémoire
27. Travaux maritimes de Bizerte (somme qui restera disponible à la clôture de l'Exercice 1307 et recettes nouvelles à réaliser dans le courant de l'Exercice 1308)	"
28. Liquidation de la Dette de la conversion le 1889 (somme qui restera disponible à la clôture de l'Exercice 1307)	"

CHAPITRE VIII.—Budget sur Ressources Spéciales.

29. Recettes réalisées pour le compte du Fonds de Réserve (Décret du 20 Chaoual, 1303)	Mémoire
30. Recettes affectées au remboursement des certificats de coupons antérieurs à 1870, sortis aux tirages	"
31. Recettes affectées au paiement des dettes antérieures à l'Exercice 1299	"
32. Recettes affectées à la suite des remboursements et échanges des obligations de la Dette 4 pour Cent	"

Total du Budget des Recettes 36,977,500 00

EXERCICE 1308.

BUDGET DES DÉPENSES.

CHAPITRE I^{er}.—Direction Générale des Finances.

	Fr.
1. Liste civile de Son Altesse le Bey	1,500,000 00
2. Dotation des Princes et Princesses de la famille Hassénite	1,200,000 00
3. Personnes et entretien des Palais	200,000 00
4. Décorations honorifiques	54,500 00
5. Pensions civiles et militaires	180,000 00
6. Direction des Finances et Régies Financières	5,622,95 14
7. Cour des Comptes	23,080 00
8. Hôtel de la Monnaie et réforme monétaire	1,487,500 00
9. Remboursement au Trésor Français des frais du service médical des indigènes nécessiteux	31,000 00
10. Rente 5 1/2 pour Cent à éreux et amortissement (annuité de 6,307,590 fr.)	16,612,534 00
11. Consignation allouée 5 1/2 pour cent pour le paiement en France des coupons et autres frais pour le même service	84,000 00
Total du Chapitre I ^{er}	30,801,109 14

CHAPITRE II.—Office des Postes et des Télégraphes.

	Fr.
1. Personnel des Postes et Télégraphes	715,000 00
2. Frais divers d'exécution du service	75,000 00
3. Transport des dépêches	125,000 00
4. Dépenses de matériel	115,000 00
5. Travaux neufs	30,000 00
Total du Chapitre II	1,124,000 00

CHAPITRE III.—Administration Générale.

	Fr.
1. Traitement du Premier Ministre, du Ministre de la Pénitence, et du personnel de l'Administration Centrale	608,456 00
2. Matériel, frais de Bureau, dépenses diverses d'administration générale	485,892 00
3. Dépenses de sûreté	60,000 00
4. Contrôles civils	539,019 00
5. Gendarmerie indigènes	245,892 00
6. Prisons	466,204 00
7. Résidence Générale et Affaires Consulaires (frais d'hôpitaux, de services, et de secours)	163,795 00
8. Services Sanitaires	84,112 00
9. Gouvernements de Tunis et de la Régence	97,112 00
10. Indemnités à des fonctionnaires et établissements religieux	155,366 00
11. Remboursement au Gouvernement Français des dépenses pour la Magistrature Française	661,791 00
12. Subventions aux communes	1,650,000 00
Total du Chapitre III	5,228,149 00

CHAPITRE IV.—Enseignement Public.

Article Unique ..

934,076 49

CHAPITRE V.—Armée Tunisienne.

Section 1^{re}.—Personnel.

	Fr.
1. Dépenses du personnel de l'Administration Centrale	59,850 00
2. Solde et indemnités des officiers sans troupe et employés militaires	17,177 00
3. Solde et indemnités des officiers et hommes de troupe	210,500 00

Section 2.—Matériel.

	Fr.
4. Matériel de l'Administration Centrale et dépenses diverses	4,500 00
5. Vivres	144,383 00
6. Chauffage et éclairage	12,426 00
7. Fourrages	41,571 00
8. Services de Santé	5,583 00
9. Services de Santé	7,000 00
10. Habillement, équipement, campement, et objets mobiliers	77,134 00
11. Reponte et harnachement	10,000 00
12. Armes et matériel de l'artillerie	9,000 00
13. Casernement et fortifications	25,000 00
14. Recrutement	200 00
15. Instruction	200 00

Section 3.—Pensions et Secours.

	Fr.
16. Secours à des invalides	10,545 00
17. Secours à d'anciens militaires	3,350 00

Section 4.

	Fr.
18. Solde et indemnités des Magasins du Sud	172,000 00
Total du Chapitre V	950,098 00

CHAPITRE VI.—Direction Générale des Travaux Publics.

Section 1^{re}.—Direction Générale.

	Fr.
1. Personnel de l'Administration Centrale	195,000 00
2. Frais généraux, matériel, missions et dépenses diverses	100,000 00

Section 2.—Service des Ponts et Chaussées.

	Fr.
3. Personnel du Service des Ponts et Chaussées	620,000 00
4. Matériel et dépenses diverses	120,000 00
5. Routes et ponts	1,734,520 76
6. Chemins de fer	200,000 00
7. Ports maritimes, phares, et lanternes	451,845 91
8. Aménagements des eaux	824,000 00
9. Palais nationaux	150,000 00
10. Bâtimens civils	1,503,000 00
11. Bâtimens domaniaux	300,000 00
12. Travaux des villes non érigées en communes	50,000 00

Section 3.—Service des Mines.

	Fr.
13. Personnel du Service des Mines	25,000 00
14. Matériel et dépenses diverses	45,000 00
15. Etablissements thermaux	5,000 00
16. Forages	25,000 00

Section 4.—Service de la Police des Ports et de la Navigation.

	Fr.
17. Personnel du Service de la Police des Ports et de la Navigation	66,000 00
18. Matériel et dépenses diverses	55,000 00

Section 5.—Service Topographique.

	Fr.
19. Personnel du Service Topographique	54,000 00
20. Matériel et dépenses diverses	54,000 00
21. Part contributive du Gouvernement Tunisien dans les frais de confection de la Carte de la Régence	53,332 33

Section 6.—Service des Forêts.

	Fr.
22. Personnel du Service des Forêts	303,800 00
23. Amélioration des forêts domaniales	150,000 00
24. Entretien des forêts domaniales	60,000 00
25. Fixation des dunes	15,000 00
26. Dépenses diverses	20,000 00

Total du Chapitre VI .. 7,275,000 00

CHAPITRE VII.—Article Unique.

Dépenses imprévues	600,000 00
--------------------------	------------

CHAPITRE VIII.—Article Unique.

Dépenses des exercices clos	Mémoire
-----------------------------------	---------

CHAPITRE IX.—Article Unique.

Dépenses des exercices périmés	Mémoire
--------------------------------------	---------

CHAPITRE X.—Dons et Subventions Spéciales.

	Fr.
1. Port de Tunis	Mémoire
2. Travaux maritimes de Bizerte	"
3. Liquidation de la Dette de la conversion de 1889	"

Total du Chapitre X .. Mémoire

CHAPITRE XI.—Dépenses sur Ressources Spéciales.

	Fr.
1. Fonds de réserve	Mémoire
2. Certificats de coupons antérieurs à 1870, sortis aux tirages	"
3. Service des dettes antérieures à l'exercice 1899	"
4. Suite des remboursements et échanges des obligations de la Dette 4 pour Cent	"

Total du Chapitre XI .. Mémoire

RÉCAPITULATION.

Chapitre	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	Total
	Fr.											
I	20,901,105 14											
II		1,124,000 00										
III			5,228,149 00									
IV				934,076 49								
V					950,098 00							
VI						7,275,000 00						
VII							600,000 00					
VIII								Mémoire				
IX									Mémoire			
X										Mémoire		
XI											Mémoire	
Total général du Budget de la Dépense												36,942,452 52

RÉSULTATS.

	Fr.
Recettes	36,977,500 00
Dépenses	36,942,452 52
Excédent des prévisions de Recettes	35,047 58

Inclosure 2 in No. 7.

Extract from the "Journal Officiel Tunisie" of July 31, 1890.

Rapport de M. le Ministre Résident-Général de la République Française à Tunis à Son Altesse le Bey.

Monseigneur,

CONFORMÉMENT aux Articles 34 et suivants du Décret Organique du 3 Djourmadi-el-Aoual, 1300 (12 Mars, 1883), j'ai l'honneur de soumettre à votre Altesse les trois Tableaux ci-joints qui présentent le règlement du Budget de l'Exercice 1306, commencé le 13 Octobre, 1888, et définitivement clos le 12 Juin, 1890.

	Fr.
Les prévisions de recettes pour cet Exercice avaient été fixées par le Décret du 20 Moharrem, 1305 (26 Septembre, 1888) à ci...	31,075,000 00
Non compris—	
1. Les recettes se rapportant à des dotations ou à des services spéciaux qui y figuraient pour Mémoire sous les Articles 23 à 31. Ces recettes se sont élevées en 1306 à ..	14,740,078 93
2. La solde de la Convention, réalisée au cours du même exercice de la Dette Tronienne 4 pour Cent perpétuelle en 3½ pour Cent amortissable ci ..	10,000,000 00
Total des prévisions des recettes ci ..	36,615,078 93
Les prévisions de dépenses, primitivement arrêtées à 31,875,261 66 fr., se sont accrues, pour les mêmes motifs précédents, de 1 million de sommes égales à celles ajoutées aux prévisions originaires de recettes, elles se sont élevées à ..	36,615,330 70
Le budget se soldait ainsi par un excédent de ..	748 14
Les recettes de 1306 ont été de 32,512,438 55 fr., c'est-à-dire qu'elles ont dépassé les prévisions d'un million de ..	5,806,419 62
L'Exercice 1306 se solda donc par un excédent total de recettes de ..	5,897,167 76
qui doit être attribué à l'Exercice 1307 dans les prévisions de recettes duquel il figure du reste (Article 30, Chapitre IV), savoir: sous le titre, "Solde disponible, à reporter de 1306 à 1307, des crédits sans emploi de 1305," à concurrence de ci ..	1,128,248 97
et sous le titre "Excédent probable des recettes de 1306" pour le surplus, ci ..	4,768,918 79
Comptées aux droits constatés à recouvrer qui se sont élevés en 1306, déduction faite des sommes admises en non valeur, à ci ..	88,847,119 58
les recettes précédentes ci ..	62,512,198 54
leur ont été inférieures de ci ..	26,334,921 04

Conformément à l'Article 38 du Décret du 3 Djourmadi-el-Aoual, 1300, il a été fait application du montant de ces restes à recouvrer à l'Exercice courant 1307

	Fr.
Rapport qui concerne les crédits budgétaires de 1306 à l'égard comme il vient d'être dit plus haut à ..	36,615,330 70
le compte en a été établi ainsi qu'il suit —	
Les droits acquis en 1306 aux créanciers de l'Etat ont été liquidés à ..	47,018,561 28
La portion des crédits affectés à des dotations spéciales qui n'a pu recevoir son emploi en 1306 et doit être reportée à l'Exercice 1307, pour la continuation, jusqu'à complet achèvement, de ces services spéciaux, est de ..	8,284,368 48
Total ..	55,302,929 76
Le surplus des crédits budgétaires de 1306, ci ..	1,812,398 03
resté sans emploi, constitue une disponibilité qui pourra être affectée jusqu'à concurrence de 733,333 33 fr. à la dotation du port de Tunis et tomber pour le surplus dans les produits ordinaires de l'Exercice 1307	
Enfin il y a lieu de remarquer que sur les droits acquis en 1306 aux créanciers de l'Etat liquidés à ..	47,018,561 28
il n'a été payé que ..	45,265,271 96

	Fr.
Sur la différence de ..	8,745,292 39
la somme de ..	8,030,011 94
doit seule être reportée à l'Exercice 1307 pour être employée en dépense à titre de rappel des Exercices clos.	
Le surplus ci ..	705,280 38
qui provient de l'emprunt contracté en 1884, représente le montant de créances prescrites et définitivement éteintes au profit de l'Etat (Article 43 et suivants du Décret du 3 Djourmadi-el-Aoual, 1300, 12 Mars, 1883).	
Cette somme de 705,280 38 fr. pourrait être affectée, savoir: —	
A concurrence de 703,000 fr. à la dotation spéciale pour les services maritimes de Bizerte, ci ..	703,000 00
Le surplus ci ..	2,280 38
serait pris au recouvrement parmi les produits budgétaires de 1307.	
Total égal ..	705,280 38

Si votre Altesse approuve le règlement du Budget de 1306 préparé d'après ces données je la prie de vouloir bien revêtir de son sceau le projet de Décret ci-joint.

Le Ministre Plénipotentiaire, Résident-Général
de la République Française,
(Signé) J. MASSICAULT

Tunis, le 23 Juillet, 1890.

Décret du 16 Hidjé, 1307 (31 Juillet, 1890).

Louanges à Dieu!

Nous, Ali Pacha Bey, Possesseur du Royaume de Tunis;
Vu les Articles 34 et suivants du Décret du 3 Djourmadi-el-Aoual, 1300 (12 Mars, 1883), et le Décret du 20 Moharrem, 1302 (8 Novembre, 1884);
Vu le Décret du 20 Moharrem, 1306 (26 Septembre, 1888) promulguant le Budget de l'Exercice 1306, commencé le 13 Octobre, 1888;
Vu les comptes des Recettes et des Dépenses de l'Exercice 1306 présentés par le Directeur des Finances en exécution des Articles 35 et 36 du Décret sus visé du 3 Djourmadi-el-Aoual, 1300;
De l'avis conforme du Conseil des Ministres et Chefs de Services exprimé dans sa séance du 23 Juillet, 1890 (6 Hidjé, 1307);
Nous avons pris le Décret suivant —
Article 1^{er}. Le Budget de l'Exercice 1306 demeure définitivement réglé ainsi qu'il suit —

	Fr.
I. Le montant des droits et produits constatés à recouvrer, y compris les arriérés reportés des Exercices antérieurs et déduction faite des sommes régulièrement admises en non valeur, s'est élevé à ..	88,847,119 58
Le montant des recouvrements effectués y compris les sommes reprises à divers titres des Exercices précédents, s'est élevé à ..	62,512,438 56
Les restes à recouvrer repris au compte de l'Exercice courant 1307 s'élèvent, par suite, à une somme de ..	26,334,681 00
II. Pour une somme de recouvrements montant à ..	42,512,498 55
les paiements effectués en 1306 aux créanciers de l'Etat se sont élevés à ..	48,265,271 96
l'excédent de ..	10,249,226 59
dont le Receveur-Général des Finances aura à se porter au recouvrement, à nouveau, dans les écritures de l'Exercice 1307, savoir: —	
(A.) Au titre de la "Dotation spéciale" constituée pour les travaux de construction du port de Tunis, à concurrence d'une somme de 1,598,653 02 fr. composée: —	
1. Du solde non employé en 1306 de la première dotation constituée par le Décret du 11 Chaoual, 1303 (12 Juin, 1885), ci ..	2,138,653 02
2. Du montant, qui est de 1,000,000 fr. de l'allocation spéciale attribuée au port de Tunis sur la solde de la conversion de 1889 (voir ci-après § C) ci ..	1,666,666 87
3. D'une somme de 733,333 33 fr. à percevoir sur le montant, qui est de 1,812,398 03 fr., des crédits sans emploi de 1306, ci ..	733,333 33
Total égal ..	4,538,653 02

B.) Au titre de la "Dotation Spéciale" à constituer pour les services maritimes de Bizerte, à concurrence d'une somme de 2,775,000 frs. formée—

	Fr.	Pr.
De l'allocation spéciale de 1,345,000 fr. réservée pour cet objet sur la soule de la conversion de 1849 (voir ci-après § C) ci	2,075,000 00	
D'une somme de 705,000 frs. à prélever sur le montant, qui est de 705,280 frs. des créances prescrites et définitivement éteintes en 1896 au profit de l'Etat, ci	705,000 00	
Total égal		2,775,000 00

(C.) Au titre de la "Dotation Spéciale" formée par la soule fixée à 5,000,000 fr. (10,000,000 frs.) de la dernière conversion de la Dette Tunisienne, et destinée, conformément à l'Article 9 du Décret du 13 Kabia-et-Tani, 1306 (17 Décembre, 1887), à l'exécution de travaux extraordinaires d'intérêt public, à concurrence du solde de la dite soule non employé en 1896, ci	5,543,640 17	
Diminué des prélèvements à opérer comme il est prescrit ci-dessus pour la Dotation du port de Tunis, ci	1,666,666 67	
Et pour la dotation des services maritimes de Bizerte, ci	2,075,000 00	
Total des dits prélèvements	4,741,666 67	
Reste à reporter en titre de la soule		1,916,973 50

D.) Au titre des "Ressources Spéciales," à concurrence de la somme de 427,075 29 frs. restant acquise aux créanciers de l'Etat sur les recouvrements de 1306 après déduction des paiements effectués et du montant des créances spéciales prescrites au profit de l'Etat (Art. 48 et suivants du Décret du 3 Djoumadi-el-Aoual 1300 (19 Mars, 1883), pendant le cours de l'Exercice, ci	427,075 29	
---	------------	--

(E.) Sous le titre "Solde disponible des crédits sans emploi de 1306," à concurrence du montant de ces crédits, ci	1,312,398 03	
Diminué du prélèvement prescrit plus haut au profit de la dotation du port de Tunis	733,333 33	
Soit de la somme de	579,064 70	579,064 70

(F.) Sous le titre "Solde disponible, reporté de 1306 à 1307, des crédits sans emploi de 1306," pour	1,183,348 87	
--	--------------	--

(G.) Sous le titre "Excédent des Recettes de 1306," pour	4,763,818 79	5,897,187 78
--	--------------	--------------

(H.) Sous le titre "Recettes consacrées aux dépenses des Exercices clos," pour	2,050,011 94	
--	--------------	--

(I.) Sous le titre "Droits et Taxes divers, &c.," à concurrence du montant des diverses créances prescrites et définitivement éteintes en 1896 au profit de l'Etat par application des Articles 48 et suivants du Décret du 3 Djoumadi-el-Aoual, 1300 (12 Mars, 1883), ci	705,280 88	
Diminué du prélèvement à opérer comme il est prescrit ci-dessus au profit de la dotation des services maritimes de Bizerte, ci	705,000 00	
Reste à prendre en recettes aux "Droits et Taxes divers, &c.,"	2,280 88	2,280 88
Total égal		19,349,226 59

Art. 2. Le Directeur des Finances est chargé de l'exécution du présent Décret.

Vu pour promulgation et mise à exécution :

Le Ministre Plénipotentiaire, Résident-Général
de la République Française,

(Signé) J. MASSICAULT.

Tunis, le 31 Juillet, 1890.

No. 103.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received October 31.)

(No. 68. Confidential.)

My Lord,

Tunis, October 25, 1890.

I HAVE the honour to inform your Lordship that the Italian Consul-General has had news from his Agent at Gabes that a force of 300 cavalry had left Medenine for the Tripoli frontier under the command of the chief officer at that station, and that an advanced position on the frontiers has been reinforced by 150 men.

I fully believe that these are precautionary measures taken by the military authorities for the protection of the survey party, but should they meet with armed resistance from the tribes, the aspect of affairs might become serious.

I have, &c.
(Signed) R. DRUMMOND HAY.

[For Consul R. Drummond Hay's No. 69, October 28, 1890, see No. 117.]

No. 105.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received November 6.)

(No. 70.)

My Lord,

Tunis, October 31, 1890.

WITH reference to my despatch No. 68 of the 26th instant, I have the honour to transmit to your Lordship herewith an extract and translation from the Italian local newspaper "L'Unione," reporting an encounter between French troops and Tripoli frontier tribes.

Rumours are also current here of a gradual concentration of French troops on the frontiers, and that the military authorities have engaged numerous workmen for the construction of stone buildings in that part of the country.

With a view of arriving at the truth, I have directed the British Vice-Consuls from Suez to Gabes to advise me of any movement of troops southwards, and to ascertain whether there is any foundation in the reports that have reached Tunis from the frontiers.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 106.

Extract from the "Unione" of October 30, 1890.

(Translation.)

THE following particulars have been communicated to Italian newspapers regarding movements on the Tripoli frontiers:—

The "Riforma" learns from Tripoli that troubles are reported on the Tunisian frontiers:

"Several hundred Tunisian cavalry attacked the Tripolitans who endeavoured to oppose certain works of the French military engineers at an unknown point on the frontiers."

A telegram received by the "Italia" from Rome states:—

"Yesterday's telegrams, confirming reports from other sources regarding troubles on the Tunisian frontiers, caused great sensation."

"Several hundred Tunisian cavalry attacked the Tripolitans who endeavoured to impede the works of French military engineers at an unknown point on the frontiers. The famous Kroumir reports are brought to our recollection by these notices."

No. 107.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received November 7.)

(No. 71.)

My Lord,

Tunis, November 1, 1890.
WITH reference to my despatch No. 61 of the 17th September last, I have the honour to inform your Lordship that M. Massicault returned here from Paris on the 31st ultimo.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 108.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received November 13.)

(No. 73.)

My Lord,

Tunis, November 6, 1890.
I HAVE the honour to transmit to your Lordship herewith a copy of a Notice published in the "Journal Officiel Tunisien" of the 30th ultimo, relating to the steps taken by the Tunisian Government for the delimitation of public property on and around the Lake of Bizerta.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 108.

Extract from the "Journal Officiel Tunisien" of October 30, 1890.

RÉGENCE DE TUNIS.—TRAVAUX PUBLICS.

Délimitation du Domaine Public.

LAC DE BIZERTE.—OPÉRATIONS PRÉPARATOIRES.

Enquête.

LA Commission instituée en vertu du Décret du 8 Moharrem, 1305 (26 Septembre 1887), par Arrêté en date du 19 Avril, 1890, de M. le Directeur-Général des Travaux Publics, à l'effet de procéder aux opérations préparatoires de délimitation du Lac de Bizerte (partie comprise entre les extrémités de la délimitation sanctionnée par Décret du 1^{er} Chaaban, 1307, 21 Mars, 1890), et la pointe Raz Shara au sud et Dakhilet-el-Kharrouba (sur le rivage nord) a reçu les plans et le procès-verbal des opérations auxquelles elle a procédé le 14 Mai, 1890, et jours suivants, entre les mains de M. Nicolle, Agent des Ponts et Chaussées, Commissaire-Enquêteur.

M. le Commissaire-Enquêteur recevra les observations des riverains et des tiers à partir du 20 Novembre, 1890, pendant dix jours, de 8 à 10 heures du matin.

No. 109.

The Marquis of Salisbury to Sir A. Paget.

(No. 174.)

Sir,

Foreign Office, November 13, 1890.

THE Austro-Hungarian Charge d'Affaires at this Court called at the Foreign Office to-day and stated that M. Crisp was again very anxious in regard to Bizerta. Count H. Litzow inquired if Her Majesty's Government had received any recent information on the subject. A despatch was shown to him which has been lately

received from Her Majesty's Consul at Tunis, inclosing the Tunisian Budget and pointing out that in addition to the establishment of a Company with a capital of 4,000,000 fr., the Beylical Government had set apart about 100,000 fr. for works at Bizerta during the present year. In the Bey's Decree, however, the port was specially mentioned as a commercial one, and up to the present time the works did not appear to have made much progress, or to afford any ground for action on the part of other Governments.

I am, &c.
(Signed) SALISBURY.

No. 110.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received November 14.)

(No. 76.)

My Lord,

Tunis, November 9, 1890.
WITH reference to my despatch No. 70 of the 31st ultimo, I have the honour to inform your Lordship that Mr. Calleja, British Consular Agent at Gabes, has reported that the only change in the garrison of that place has been the dispatch of a battalion of native rifles, in three separate detachments, to Kairwan, Susa, and a station in the latter district.

These troops had not yet been replaced at Gabes.

Mr. Calleja also states that French military engineers are engaging all the masons and labourers available in and around Gabes, for wages varying from 1 fr. to 7½ fr. a-day, for employment at Medenine and Tataoun, the two military stations nearest to the frontiers of Tripoli, 140 sheds will be constructed for the shelter of troops at Medenine, but Mr. Calleja could not ascertain the class of works contemplated at Tataoun.

The latter station is situated to the north east of Douret on the River Tataoun, referred to in my despatch No. 74 of the 7th instant.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 111

The Law Officers of the Crown to the Marquis of Salisbury.—(Received November 15.)

My Lord,

Royal Courts of Justice, November 13, 1890.

WE were honoured with your Lordship's commands signified in Sir Philip Currie's letter of the 30th ultimo, stating that he was directed by your Lordship to transmit to us the papers noted in the accompanying list* relative to complaints of the British Colony in Tunis against certain taxes imposed upon the community since the establishment of the French Protectorate over the Regency.

That the Memorial embodying those complaints was referred to Her Majesty's Consul at Tunis for his observations, and that his remarks would be found in the despatch annexed (see Consul Drummond Hay's No. 53 of the 20th July, 1890).

That the grievances enumerated appeared to resolve themselves into eight heads.—

1. *The Octroi Taxes.*—That Consul Hay observed that these taxes were not an innovation of the French régime, having been in force before the establishment of the Protectorate.

2. *The Municipal Abattoir Taxes.*—That your Lordship was in some doubt whether these were taxes against which Her Majesty's Government could protest as of right, but that your Lordship considered that the attention of the Tunisian Government might properly be called to the Regulations of the 30th March, 1881, drawn up by the Consular Body at Tangier and the Moroccan authorities for the payment of the agrarian and gate tax (see Morocco No. 1 of 1882), and that the adoption of similar Regulations might be recommended to the Tunisian Government.

3. *The Communal Taxes.*—That these taxes appeared to be unnecessarily onerous, but that it was questionable whether there was any just cause of complaint on the

* Not printed.

part of foreigners, and that your Lordship would be glad to be informed whether we concurred in that view.

That if, as Consul Hay stated, the Municipality had exceeded their powers in certain instances (such as the case of M. Diacono, cited by the memorialists), there might, perhaps, be a ground for remonstrance in such individual cases.

That the argument used by Consul Hay did not seem to be applicable when he stated: "The Municipality appear to have considerably exceeded their powers in this instance, as proofs can be shown that before the introduction of French jurisdiction their Regulations had to be confirmed by Judgments from the Consular Courts in the cases of foreigners."

That it was apprehended that the Regulations of the Municipality were not contrary to Treaty rights if authorized by the French Tribunals in Tunis (see to Consul Ricketts No. 22 of the 20th February and to Acting Consul Carbonaro No. 45 of the 2nd August, 1889), but that your Lordship desired to be favoured with our opinion upon that point.

That the case of Ellul alluded to in the Memorial had already formed the subject of a reference to ourselves (see Law Officers' Report, France, No. 15, of the 11th July, 1889), and that in consequence of the opinion then expressed by us the Acting Consul at Tunis was informed that the acts complained of by Mr. Ellul did not constitute a violation of the Treaty rights of British subjects (see Acting Consul Carbonaro No. 45 of the 2nd August, 1889).

4. *Irregularities committed by the Officials employed in collecting Taxes.*—That this would appear to be a matter in which Her Majesty's Government could only interfere where specific cases of wrong-doing could be shown.

5. *The Prohibition of the Import of Fruit and Vegetables from Malta under Pretext of guarding against the Introduction of the Phylloxera.*—That the law applicable to this matter appeared to be the Decree of the 17th February, 1885 (see "Dictionnaire de la Législation Tunisienne"—Phylloxera, pp. 252-253).

That the prohibition seemed to be in violation of Article VII of the Anglo-Tunisian Treaty of the 10th July, 1875, which stated "His Highness the Bey engages that he will not prohibit the importation into the Regency of any article the produce or manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving."

But that Consul Hay explained that the law applied to all countries, including France as well as Malta, though by the Decree of the 2nd January, 1887 (see p. 253 of volume mentioned above), an exception was made in favour of such products when coming from Algiers.

That even if the prohibition were, as was alleged, an infraction of Treaty rights, strictly interpreted, it became a question whether, having in view that the prohibition applied to all countries beyond the sea equally, an exemption in favour of British subjects could equitably be demanded.

6. *Increase of the Water Tax.*—That this appeared to be a matter in which the Municipality were within their right, and afforded no ground for a representation as a violation of Treaty rights.

7. *Tax on Urban Property.*—That instructions as to this had already been sent to the Acting Consul at Tunis (see to Acting Consul Carbonaro No. 47 of the 31st October, 1889).

That Mr. Carbonaro was informed that there was no ground for objecting to the tax if imposed on natives of Tunis and British subjects alike, but that if the latter considered themselves wrongly assessed they should appeal to the French Tribunals.

That those instructions, Consul Hay reported, had been carefully followed, but that he added that the tax was seriously resented, and that a Memorial on the subject would probably be submitted to the Tunisian Government and to the foreign Consuls.

8. *Vague Charges of Partiality and denial of Justice on the part of the French Judges.*—That as had been observed above (section 4), this would appear also to be a matter in which Her Majesty's Government could interfere only where specific acts of miscarriage of justice could be shown to have been committed.

That Sir Philip Currie was to request that we would take the papers transmitted with his letter into our consideration, and that we would inform your Lordship whether we agreed generally in the views which had been shortly indicated therein with respect to the various sub-heads of complaint put forward in the Memorial, and would, at the same time, favour you with a more specific opinion on any point arising upon the Memorial with reference to which we might consider it, from a legal point of view, desirable that Her Majesty's Consul should receive more detailed instructions.

[This should be read after No. 88 on p. 85.]

No. 112*.

Consul Drummond Hay to the Marquis of Salisbury.—(Received November 21.)

(No. 77)

My Lord,

Tunis, November 15, 1890.

I HAVE the honour to transmit to your Lordship herewith a copy of a letter I have received from General Hamida Ben Ayad, complaining that the sale of his property by order of the French Tribunals is gradually reducing him and his family to ruin, and seeking my intervention on his behalf under Article VIII of the Convention of Commerce of 1863, which stipulates that the Consul-General shall administer the immovable property of a British subject who has been involved in pecuniary difficulties. I have also the honour to inclose a translation of a legal opinion of Dr. Alfred M. Camilleri of this place in support of General Ben Ayad's Petition. He contends that the privileges accorded to the British Consul under Article VIII of the Convention of 1863 were not affected by the Order in Council of the 1st January, 1881,* whereby British Consular jurisdiction became vested in the French Tribunals, as the said Order applied only to Articles XXIV and XXV of the Convention of 1875, stipulating the power and jurisdiction of the Consular Courts.

Before answering General Ben Ayad, I would be glad to receive your Lordship's instructions on the case, and to be informed whether the jurisdiction vested in the British Consular Court for Tunis by Her Majesty's Order in Council of the 20th May, 1881,† paragraph 9 (Article VIII), was transferred to the French Tribunals by the Order in Council of the 1st January, 1884.*

I have, &c.

(Signed)

R. DRUMMOND HAY

Inclosure 1 in No. 112*.

General Ben Ayad to Consul Drummond Hay

M le Consul,

Tunis, le 7 Novembre, 1890.

LE Soussigné a l'honneur de vous exposer que ses moyens financiers se trouvent dans un bien mauvais état; poursuivi de tous côtés et ne voyant aucun moyen pour sortir de cette situation à cause des grandes difficultés qui lui sont suggérées.

En conséquence il vient par les présentes, M le Consul, vous prier de vouloir bien prendre en mains tous ses biens afin d'en opérer la liquidation, et ce conformément aux dispositions des Articles VI, VII, et suivants du Traité Anglo-Tunisien du 10 Octobre, 1863.

Il a l'honneur d'être, &c.

(Signed in Arabic)

HAMIDA BEN AYAD.

Inclosure 2 in No. 112*.

Opinion of Dr. Camilleri regarding the Administration of General Ben Ayad's immovable Property.

(Translation)

Sir,

Tunis, November 13, 1890.

BRITISH jurisdiction in this Regency has been obtained in virtue of Articles XXIV and XXV of 1875. Therefore, the disposition of Article VIII of the Anglo-Tunisian Treaty of the 10th October, 1863, was not a jurisdiction accorded, but a simple privilege in favour of the British Representative; and it is so certain that it was only

* December 31, 1883.

† May 12, 1881.

a privilege, because it did not accord reciprocity to the Representatives of His Highness the Bey on British territory. Such a privilege has never been revoked, because up to this date the Convention of 1863 remains in vigour in its totality. No other Treaty has been made between the parties interested which has modified it in any way.

If one refers to the Act of Parliament of 1868, whereby the Order in Council of 1861 was revoked, in which it was stated that the privilege accorded to the Consul should from that time be exercised by the Consul-Judge, such Order in Council could not in any way modify the Treaty of 1863, and especially the disposition of Article VIII. The Order in Council of 1861 was an act of internal law, by which the British Government regulated the attributions of the Consular officers in the Regency. By the Order in Council of 1894, by which British jurisdiction in this Regency was annulled, the judicial authority in this country was alone revoked, and the attributions of the Consul regarding the privilege accorded to him by Article VIII of the Treaty of 1863 were passed over to him again. By the revocation of the jurisdiction only the Articles XXIV and XXV of the Treaty of 1875 were modified and nothing else.

Under these circumstances, in my quality of legal Attorney, I find no difficulty in giving a favourable opinion to General Ben Ayad's Petition, under the express condition that all questions that may arise between the General and his creditors should be judged by the French Tribunals. By the application of the disposition contained in Article VIII of the Treaty of 1863 you will have only the mission of a liquidator, that is, to come to an understanding with the creditors, sell, according to the usages and laws of the country, the landed property of General Ben Ayad and pay his debts.

In case you adopt my opinion, not only all the creditors will be paid, but Ben Ayad's family will have a sufficient balance remaining for their livelihood. If, on the contrary, the General's property continues to be sold by the French Tribunals, not only the debts will not be paid from the proceeds, but within a few months Ben Ayad's family will be thrown in extreme misery.

I have, &c.

(Signed) Dr. ALFRED M. CAMILLERI.

R. Drummond Hay, Esq.,
Her Britannic Majesty's Consul, Tunis.

We have taken the matter into our consideration, and, in obedience to your Lordship's commands, have the honour to

Report—

That we agree generally with the views stated in Sir Philip Currie's letter of the 30th October.

We are of opinion that the matters alleged by the memorialists in respect of the various local taxes and the prohibition of the import of fruit and vegetables afford no ground for protest on the part of Her Majesty's Government. The administrative irregularities complained of are not sufficiently specified, and do not appear to be of a grave character.

The charge against the French Tribunals is far too serious to be made the subject of diplomatic representation without much more detailed evidence in its support than is to be found in the Report of the memorialists.

We have, &c.

(Signed) RICHARD B. WEBSTER.
EDWARD CLARKE.

No. 112

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received November 18.)

(No. 78.)

My Lord,

Tunis, November 10, 1890.

WITH reference to my despatch No. 76 of the 9th instant, I have the honour to inform your Lordship that I have received a report from Mr. Galea, British Vice-Consul at Suse, which confirms the news communicated to me from Galea. He states that the military authorities appear to attach considerable importance to a place called Tattoun, where building operations were commenced about a year and a-half ago.

A small fortress is being constructed at Ksar Metammer, close to the military station of Medenin.

There was no movement of troops in the district of Suse, but it was reported that Zaris would be reinforced with cavalry, and a squadron sent from thence to Djemila, on the frontiers, near the coast, between Lakes Bibane and Moita.

Mr. Galea concludes by remarking that absolute security is maintained in the southern districts of the Regency, where frontier posts have been established, and the roads are reported safer than they have ever been.

I have, &c.

(Signed) R. DRUMMOND HAY.

No. 113.

Consul R. Drummond Hay to the Marquis of Salisbury.—(Received November 24.)

(No. 78.)

My Lord,

Tunis, November 18, 1890.

WITH reference to my despatch No. 76 of the 10th instant, the British Consular Agent at Gabes reports that 2,000 men are expected during the course of this month for the reinforcement of that place and of the different military stations on the frontier; and he adds that eighteen huts will be constructed at Medenin, measuring 60 metres in length by 16 in width, and not 146 sheds, as he had reported in his last letter, which I had the honour of communicating to your Lordship in my despatch No. 75 of the 9th instant.

Movements of troops are also taking place from the capital.

A squadron of Chasseurs d'Afrique stationed at Taboriba, about 20 miles from Tunis, has received orders to march for an unknown destination in the South; and another squadron of similar cavalry, together with a battery of horse artillery and guns, have lately arrived by rail from Algeria, and are encamped on the Bardo plain.

There are also encamped on the Belvedere hill, outside Tunis, 347 recruits, who arrived from France on the 16th instant.

I have further ascertained, from what I believe to be a reliable source, that the Remount is buying up horses, and has informed the military authorities that the number procurable will not exceed 1,000 cavalry horses. The supply of camels is estimated at 5,000, and of mules at 600.

It is reported that there is a demand for 5,000 horses.

I have, &c.
(Signed) E. DRUMMOND HAY.

No. 114.

Foreign Office to Consul Drummond Hay.

(No. 17.)

Sir,

Foreign Office, December 1, 1890.

I AM directed by the Marquis of Salisbury to acknowledge the receipt of your despatch No. 53 of the 29th July last.

The observations made by you therein upon the Memorial in which are embodied the complaints of the British community in Tunis against certain taxes alleged to have been imposed since the establishment of the French Protectorate over the Regency have been carefully considered by his Lordship.

The memorialists appear to complain of various local taxes and of irregularities committed by the officials employed in their collection; of the prohibition of the import of fruit and vegetables from Malta, under pretext of guarding against the introduction of the phylloxera; and, lastly, of partiality and denial of justice on the part of the French Judges.

With reference to your observations in regard to the case of Mr. Diacono, I am to point out that there might, perhaps, be a ground for remonstrance in this and in similar individual instances if, as you state, the Municipality have exceeded their powers.

But the argument which you make use of when you state that "the Municipality appear to have considerably exceeded their powers in this instance, as proofs can be shown that before the introduction of French jurisdiction their Regulations had to be confirmed by judgments from the Consular Courts in the cases of foreigners," does not appear to be applicable; and his Lordship is of opinion that the Regulations of the Municipality are not contrary to Treaty rights if authorized by the French Tribunals.

The case of Mr. Kul which you quote has already been disposed of in my despatch No. 14 of the 2nd August, 1889, in which Mr. Carbonaro was informed that the acts complained of by that individual did not constitute a violation of the Treaty rights of British subjects.

To sum up, I am to state to you that the matters alleged by the memorialists in respect of the various local taxes and the prohibition of the importation of fruit and vegetables afford no ground for protest on the part of Her Majesty's Government.

With regard to the administrative irregularities complained of, they are not sufficiently specified, and do not appear to be of a grave character.

The charge against the French Tribunals is, in Lord Salisbury's opinion, far too serious a matter to be made the subject of diplomatic representation without the production of much more detailed evidence in its support than is to be found in the Memorial.

I am, &c.
(Signed) P. CURRIE.

No. 115.

Consul-General Moore to the Marquis of Salisbury.—(Received December 2.)

(No. 3.)

My Lord,

Tripoli, November 25, 1890.

WITH reference to Sir Philip Currie's despatch No. 6 of the 7th instant, relative to a movement of French troops from Tunis to the Tripoli frontier, I have the honour to report that at a friendly visit I paid to the Governor-General I touched upon that and other matters of local political interest.

Rasum Pasha informed me that the object of the movement in question was simply to punish or reduce to subjection a certain refractory and predatory tribe

inhabiting the Tunisian side of the frontier; his Excellency, therefore, attached no importance to the circumstance, and had taken no measures in reference thereto. He further said, with regard to the territory in dispute between the two provinces, that as his Government had not recognized the French Protectorate of Tunis he had declined to entertain representations on the part of the French Consul-General to take action in the matter, which he left to be dealt with by the two Governments.

We next spoke about the designs upon Tripoli attributed to Italy, it was evident that the Vah did not treat the idea as mere idle rumour, he said he had been quietly taking, and should continue to take, precautions to meet such a contingency, and, while hoping for the best, "nous ne dormons pas," was the expression he used. I believe these precautions consist principally in making provision for arming the population and the tribes should such an eventuality occur.

I inquired of his Excellency whether the Senoussia sect caused him any uneasiness. "On the contrary," was the reply, "they are faithful and loyal subjects, they always comply with any orders I give them, and in an emergency we count upon their active support." How far the Senoussia professions upon which these statements are based are sincere I have not been long enough in the country to be able to form an opinion.

I have, &c.
(Signed) NOEL TEMPLE MOORE.

No. 116.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 13.)

(No. 411. Confidential.)

Paris, December 8, 1890.

My Lord,

SOME weeks ago M. Rossmann (Secretary to the Italian Embassy here), informed me that his Government is much preoccupied about the Concession granted by the Beylical Government to M. Courvieux for the construction of a commercial port, and the improvement of the canal connecting it with the inland lake at Bizerta, as reported to your Lordship by Mr. Consul Drummond Hay in his despatch No. 64 of the 20th October last.

M. Rossmann observed that the secrecy which has, he says, been maintained up to the present moment in reference to the exact terms of this Concession, justifies great suspicion that the project includes "purposes of a military character," and I notice that, in his Confidential despatch to your Lordship No. 26 of the 2nd April last, Mr. Drummond Hay reports that his Italian colleague then professed to be in possession of trustworthy information that the land surrounding the Goletta mouth of the Tunis Canal was to be reserved for such purposes, as also that he was himself in a position to affirm that the Beylical Government was in negotiation for the purchase of the hill at Rades, commanding the mouth of the canal.

In reference to this matter, however, M. Rossmann expressed a strong opinion that, even if his suspicions are unfounded, and there is no immediate intention of fortifying the harbour, its connection with the lake by means of a canal made broad enough to admit large ships and adequately protected from silting, will, of itself, convert Bizerta, for all practical purposes, into a military post of the greatest possible importance.

I have reason to believe that this opinion is not shared by my Italian colleague, General Menabrea, who, as an old Engineer officer, appears to be confident that the Bizerta Canal can never be so widened that what it will always be easy for a few hostile ships to render it unnavigable by obstructing the mouth of it, if its mouth is not strongly fortified. He thinks it would be equally impossible to protect the Toulon harbour from being similarly blocked by an Italian fleet in the event of war between France and Italy.

But for this very reason General Menabrea is no less preoccupied than M. Rossmann as to the precise character and scope of the works undertaken by M. Courvieux, as he apparently believes that no plan for the improvement of the canal would be worth the expense of its execution if it did not include the fortification of the entrance to the canal.

This morning Count Munster informed me that General Menabrea had spoken to him with great anxiety on the subject of M. Courvieux's Contract, and his Excellency appeared to be rather impressed by the notion of our Italian colleague, that there is

some intention on the part of the French Government to get the Beylical Government into financial difficulties in connection with this Contract, for the purpose of finding in such difficulties a pretext for the annexation of Tunis.

I believe that Count Münster is writing to his Government in this sense.

General Menabrea's suspicions about the Couvreux Contract appear to be founded partly on a belief that the Company formed by M. Couvreux has the French Government at its back, and partly on information that the profits secured to him by his Contract with the Beylical Government are of an exorbitant character. It is said, amongst other things in this sense, that the fishing rights over the lake at Bizerta were let to M. Couvreux at an annual rent not exceeding 12,000 fr., and that he has already sublet them at a rent of 200,000 fr. per annum.

All I have as yet been able to ascertain about M. Couvreux is that he began his professional career as "entrepreneur" under his father in connection with the construction of the Suez Canal; that his professional aptitude is highly reputed, and that he is thought to have made a large fortune by one of his contracts for works upon the Panama Canal. He has, I believe, at the present moment, works on hand at the port of Antwerp, and on the Danube near Vienna; and the M. Coiscan, with whom he is associated in the Bizerta Contract, is said to be a very clever financier.

I have, &c.
(Signed) LYTON

No. 117.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received December 16.)

(No. 69. Secret and Confidential.)

My Lord,

Tunis, October 28, 1890.

WITH reference to my despatch No. 68 of the 10th instant, I have the honour to transmit to your Lordship herewith a Report on the information I have collected after visiting all the points of interest along the coast from Tunis to Tabarca, including Bizerta, and returning by the military station of Ain Draham, on the Algerine frontier.

The Maps and plans annexed to my Report are drawn up by Mr. H. Carbonaro from notes I made during the journey, and I beg to observe that the plan of "the new port of Bizerta" was obtained from a reliable source.

The Tunisian Government furnished me with letters of recommendation to the Governors of provinces, from whom I met with marked attention and courtesy through out the journey.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 117

Report by Mr. R. Drummond Hay on the projected Port of Bizerta and the Defence Works of the Coast from Tunis to the Algerine Frontier

Map No. 1.
Forts and
signal
stations.
Projected
forts on
Cape
Carthage
and Kamart.

Porto Farina.

Fertile
country.

A MAP is annexed,* showing my route and the sites of existing and projected forts and signals in the neighbourhood of Tunis, Bizerta, and Tabarca.

The hills of Carthage and Kamart, lying to the west of Goletta, have been lately surveyed by French military officers, and sites selected, as shown in Map No. 1, for the construction of two forts.

These heights, in conjunction with those of Radès, Bel Hassen, Manonbia, and Belvedere, as reported in my despatch No. 13 of the 21st February last, will command all the approaches to Goletta, both by land and sea.

Porto Farina, situated at 30 kilom. from Cape Kamart, on the northern shore of the lake into which the Medjerda River flows, has now lost all its former importance, owing to the filling up of the lake with sand deposits from the Medjerda.

The town is situated at the foot of a rocky mountain extending to the sea. On the highest point, called the Naddor, 1,070 feet above the level of the sea, I found a heliographic signal-post, and a view, to the east, of Capes Kamart, Carthage, and Ben, and of the principal heights inland around Tunis, extending up to the hills on the south-eastern side of Lake Bizerta.

The country between Porto Farina and Ras-el-Djebel along the coast is very fertile, and contains three small towns, surrounded by vineyards and gardens, and entirely devoid of European inhabitants.

* Not printed.

The high road from Tunis, which I did not join until within a few kilometres of Bizerta, passes through the lowlands lying between the range of hills on the coast and the eastern shores of Lake Bizerta.

During a stay at Bizerta of two days, inspecting the new port works and the neighbourhood of the town, I collected sufficient information to enable me to furnish the annexed Plan No. 2 of Bizerta as it now appears, and Plan No. 3 of Bizerta of the future, with the new port completed.

In the month of April last I reported that the Beylical Government had concluded an Agreement with two French subjects for the construction of the new port of Bizerta for a sum of 9,000,000 fr., to be paid partly in cash and partly by the surrender of the fisheries for a term of seventy-five years. These gentlemen (MM. Herrent and Couvreux, of Paris, and M. George Leueur, of Algeria) have since formed a Company, named the "Port of Bizerta Company," for the construction and working of the port, with the enjoyment of all the advantages accruing to them from the said Concession.

The Company, whose head-quarters are now at Paris, has power to transfer them to Bizerta, or any other place that may be selected by the Board of Directors.

The capital of the Company is at present 4,000,000 fr., divided into 800 shares of 5,000 fr. each, and may be increased by decision of a general meeting of shareholders.

MM. Herrent, Couvreux, and Leueur have been appointed Directors, with the approval of the Beylical Government, for a term of three years.

According to a declaration of the Directors, dated the 30th July, 1890, the 800 shares of 5,000 fr. each have been entirely subscribed, and half the value of each share has been duly paid up.

It should be observed that out of fifty-four Articles in the Statutes of Association only eighteen were published in the "Journal Officiel" of the 4th ultimo, containing the above-mentioned scant information, besides the ordinary Regulations affecting the administration of the Company, and that a Decree of the Tunisian Government, dated the 17th February, 1890, referred to in Article 5 of the Statutes as containing the Concession made to MM. Herrent and Couvreux has not been published in the "Journal Officiel Tunisien."

The present condition of trade and agriculture in the north of Tunis does not hold out sufficient prospects for a commercial port at Bizerta to justify the Government in embarking upon or supporting, as the case may be, such an important undertaking, and even should the resources of the country increase, I am of opinion that the port of Tunis, on the completion of the canal, will be amply sufficient to meet all the requirements of trade and navigation.

It is surprising, moreover, that the Tunisian Government should countenance a commercial undertaking of such magnitude which, if successful, must be the ruin of the capital, where they are now expending large sums of money in the construction of a canal and other costly improvements.

The only works being carried on at present are those of the northern breakwater, as shown in Plan No. 2 of which 400 metres have already been constructed. These works are being pushed forward at the rate of 1 metre per day, by the aid of a railroad which transports the necessary stone blocks from the quarries situated about 5 kilom. to the west of the town. The eventual length of the jetty will be 1,200 metres.

The mouth of the canal will open on the eastern beach, as shown on Plan No. 3, from which another jetty will be thrown out for the protection of the canal against sand, and forming a passage 450 metres wide between the two ends.

The results of experimental borings made by French engineers to a depth of 12 metres have proved that with the exception of some lime deposits about 8 metres deep, the soil on the site of the new canal is all composed of sand.

These works will be commenced as soon as the dredging machine and other appliances lately imported from France, are mounted and in order.

The canal will pass through the sandhills at a distance of 650 metres from the old canal at the "Tunis" Gate, traversing a marsh and portions of the gardens opposite the fishery station, and entering the lake to the east of the island.

The land marked out and expropriated by the authorities for the purposes of the canal measures 220 metres in width. The base of the embankment will be 50 metres wide on each side, leaving 120 metres for the base of the passage.

The surface of water will thus measure 190 metres, with quays 15 metres wide on each side.

The depth of the canal will be 10 metres, and the embankments will be built of stone, to resist the strong tidal current from the sea.

* See No. 28.

[408]

2 A

Tunis-
Bizerta high
road.

Bizerta.
Plans of
present and
future
Bizerta.

Agreement
with French
authorities.

"Port of
Bizerta
Company."

Prospects of
a commercial
port at
Bizerta.

Commercial
success of
Bizerta the
ruin of
Tunis.

The northern
breakwater.

The new
canal.
The eastern
breakwater.
Results of
experimental
borings.

Position of
the new
canal.

Dimensions
of the canal.

Land acquired by removal of fisheries will form a new quarter.

The quays.

Tinjs railway terminus.

Future docks.

Lighthouse.

Railroad for transport of stone to eastern jetty.

Eventual transformation of railway embankment into quay.

The new fisheries.

Garrison of Bizerta.

Defences of Bizerta.

Store of torpedo and electric batteries.

Surveys under military officers.

Projected signal on Cape Blanc. Proposed fort for defence of western approach to Bizerta.

The present fisheries will be removed, and the earth from the cutting of the canal employed for filling up the shallow water which they now occupy. The ground thus acquired together with parts of the old canal, and land on the eastern side of the cutting, measures about 30 hectares, and becomes the property of the concessionists forming a new and important quarter of the town.

The principal quays of the new port will be situated on the western side of the lake, where there is a considerable depth of water.

A site has been selected on the said quay close to the "Mateur" Gate, for the terminus of the projected railway from Tunis. The railway will probably start from the main line at Djedida, passing through the fertile plains of Mateur, and crossing the River Tinjs, which unites the two lakes, to the western banks of Lake Bizerta, and up to the port.

Beyond the western quay there is a small bay called "Sabra," where the future docks will be located.

A promontory situated at a distance of 3 kilom. from the mouth of the canal has been chosen for the site of a lighthouse which will considerably facilitate navigation after dark, as the light will be in an exact line with the centre of the canal.

Arrangements have been made for transporting by rail the stones required for the eastern jetty from a quarry named Djebel Nahla, on the same side of the lake, and at the water's edge, situated about 5 kilom. from the canal. An embankment for the railroad has been already commenced which will follow the borders of the lake to the eastern side of the canal up to the jetty. The cost of its construction will be 32,000L.

When this railway has served its present purpose as a means of transporting materials for the works of the port, the embankment will be capable of transformation into an excellent quay for the largest ships afloat, as is shown by the depths marked on the annexed Plan No. 2.

With regard to the fisheries, it is proposed to remove them to a distance of 3 kilom., and to construct a barrier from a point which I have marked in Plan No. 2 across to a Marabout tomb called Beit-el-Arby.

All persons with whom I happened to converse on this subject doubted the feasibility of the plan, as the great width and depth of that part of the lake would necessitate large and massive iron gates, with bars measuring about 3 inches in diameter, to resist the strong current which sets in with the ebb and flow of the tide from the sea. The general opinion, including that of French officers, appeared to be that the plan will fall through, and that the fisheries will have to be managed in boats, on the same principle as open-sea fisheries.

The garrison of Bizerta consists of two companies of Zouaves and a detachment of artillery. A torpedo-boat is stationed in the port of the old canal. The barracks situated to the south of the town have been enlarged, and when the quarters now in course of construction are completed, the garrison will be capable of holding a considerable force.

With respect to the defences of the port, I have ascertained that a hill named Menzel-el-Djemel will be fortified, situated on the highest ground in the narrow strip of land lying to the east between the lake and the sea, as shown in Map No. 1.

This confirms my Report in No. 1 of the 8th January, 1890, in which I stated that French military officers had surveyed a height commanding the country through which the future canal is to pass.

Before leaving Tunis I was informed of the existence at Bizerta of torpedo-boats and electric batteries with cables of great length for the protection of the entrance of the port.

My belief in the existence of these machines has been strengthened by the fact of the store, where they are said to be deposited, having been pointed out to me outside the "Tunis" Gate at Bizerta.

A military survey was made last spring of the country surrounding Bizerta Lake and of the coast up to Cape Serrat, by Major Demathieu, of the French Engineers, and Captain Lauregenc, of the Staff.

On leaving Bizerta I rode along the coast from Cape Blanc to Cape Donkara, from whence I struck inland to the Bizerta upper lake, called Ishkel, taking notes of the survey marks, as shown in Map No. 2.

I have learnt, on good authority, that a signal station will be placed on Cape Blanc, from whence there is a wide-spread view of the surrounding country, including some of the principal heights in the vicinity of the port and lake, and also that a plan exists for the construction of a fort on one of the heights to the east of Cape Blanc, which command the approach to Bizerta from the west.

Signal stations will also be erected on Capes Donkara and Serrat, but the surveys do not appear to extend further than Cape Donkara, along the coast, as, with the exception of Djebel Aishana, I found no further traces of them on passing through the country from Lake Ishkel to Cape Serrat.

On my approach to the port of Tabarca I discovered survey marks in the Nefze Valley of a railroad which the French Ben Mochtar Company of Bone intends to construct from the town of Béja to Tabarca, for the purpose of opening up the mines of silver, lead, and iron in those districts.

Tabarca's present importance, from a commercial point of view, is in its sardine fisheries, which are entirely in the hands of Italians, whose fishing smacks visit the place in large numbers during the season.

It is, therefore, probable that the construction of the railroad will soon be commenced, in order to counteract Italian influence by the exportation of minerals and the produce of the cork and oak forests in the adjacent Khoumirs mountains.

Two companies of Zouaves are stationed at Tabarca, and the officer in command is at the same time the chief military and civil authority of the place.

I have heard from a reliable source that the Island of Tabarca will be fortified.

On my return journey from Tabarca I followed the new military road through the Khoumir mountains to Ain Draham, situated in a pass 1,100 metres above the level of the sea.

This station is commanded by an officer of the Staff ("Chef d'Etat Major"), and is occupied by a battalion of Youaves, a corps of Gendarmerie, and a "Bureau de Renseignements."

Two forts have been lately constructed on the heights of Djebel-el-Bir and Djebel Draham above the station. They are at present mounted with field guns, and will hold respectively 250 and 200 men.

Ain Draham is the chief military station in the Khoumir district, and has been occupied by troops since 1881.

The Kaïds over the Khoumirs are all under the supervision of the Commander of the garrison, and are thus subjected to military rule.

The French system of pacification seems to have worked wonders amongst these mountaineers, as I failed to discover during my journey any remaining traces of the ferocious and warlike reputation that they enjoyed when their country was invaded by French troops in 1881.

(Signed) R. DRUMMOND HAY.

Tunis, October 25, 1890.

P.S.—15th November.—The following additional details have come to my knowledge regarding the plan of the new port:—

The Bay of Sabra will contain five docks, measuring 50 metres at the base and 100 metres on the surface of the water. (See Plan No. 2.)

The railroad which has been commenced for the transport of stones from the quarry of Djebel Nahla to the works of the eastern jetty will be continued along the shores of Lake Bizerta to the villages of Menzel-el-Djemel and Menzel Abderrahman, and from thence the line will verge round towards the sea-coast, passing by Ras-el-Djebel and Raf-raï to Porto Farina, as shown in the annexed Map No. 3.

The site chosen for a coal station (see Plan No. 3) is on the northern shore, about half-way between Sabra Bay and the town.

The naval arsenal will be situated to the south of Djebel Nahla, at a distance of about 5 kilom. from the port, and under the guns of Fort Menzel-el-Djemel.

The depth of water in that part of the port is 6 fathoms alongside the shore.

R. D. H.

No. 118.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received December 18.)

(No. 84.)

My Lord,

Tunis, December 8, 1890.

I HAVE the honour to transmit to your Lordship an extract from the "Journal Officiel Tunisien" of the 26th ultimo, publishing a letter addressed by the Resident-General to the members of the French colony in Tunisia, who have been chosen by the

Proposed signals on Capes Donkara and Serrat.

Projected Béja-Tabarca railway.

Tabarca garrison.

Projected fortification of Island.

Military station of Ain Draham.

Ports of Ain Draham.

The Khoumir tribes under military rule.

Docks of Sabra Bay.

Railroad to Porto Farina.

Coal station.

Arsenal.

French Minister for Foreign Affairs to represent the colony before the Government of the Protectorate.

M. Ribot's instructions on the subject are contained in a despatch dated the 2nd October last, of which a copy is annexed to M. Massicault's letter.

I have, &c.
(Signed) R. DRUMMOND HAY.

Inclosure in No. 118.

Extract from the "Journal Officiel Tunisien" of November 26, 1890.

Lettre du Ministre Résident-Général de la République Française à Tunis, aux Membres de la Colonie Française désignés par M. le Ministre des Affaires Étrangères pour représenter la Colonie auprès du Gouvernement du Protectorat.

Monsieur,

J'ai l'honneur de vous remettre ci-jointe copie d'une lettre par laquelle M. le Ministre des Affaires Étrangères de la République Française a décidé qu'au moins deux fois par an, au mois de Janvier et de Juillet, le Résident-Général réunirait une représentation déterminée de la colonie Française pour conférer avec elle sur les questions agricoles, industrielles, et commerciales, qui l'intéressent.

Je me félicite vivement, pour mon compte, de voir s'établir, comme je l'ai désiré, des rapports réguliers et périodiques entre nos compatriotes et la Résidence. Il est satisfait, ainsi, à des vœux souvent émis; et certainement, vous aurez à cœur, en participant à ces réunions, de contribuer, selon les vœux patriotiques de M. Ribot, au développement de l'influence Française dans ce pays.

Le Résident-Général est chargé de fixer l'ordre du jour des travaux de la Conférence.

En raison des élections complémentaires de la Chambre de Commerce, l'ouverture de la première Conférence aura lieu seulement le Vendredi 23 Janvier.

L'ordre du jour ne sera par arrêté avant le 15 du même mois, et jusqu'au 12, je recevrai, avec grand intérêt, les communications que vous jugerez à propos de m'adresser à ce sujet.

Je vous prie de vouloir bien m'accuser réception de la présente dépêche.

Recevez, &c.
(Signed) J. MASSICAULT.

Le Ministre des Affaires Étrangères au Résident-Général de France à Tunis.

Monsieur,

Paris, le 24 Octobre, 1890.

J'ai constaté avec satisfaction, au moment de la discussion du projet de la Loi Douanière devant les Chambres, que nos compatriotes habitant la Régence ont joint leurs efforts aux vôtres pour arriver à un but commun, et vous avez pensé, avec moi, qu'il serait désirable de voir se continuer, entre la Résidence Générale et la colonie Française, des relations qui ne peuvent que profiter à la bonne préparation et à la bonne solution des affaires.

Il me semblerait utile que le Résident-Général réunît, à des époques fixes, les représentants de la colonie, pour prendre leur avis au sujet des questions touchant à leurs intérêts agricoles, industriels, et commerciaux.

Il vous appartiendra naturellement de déterminer et de faire connaître à l'avance l'ordre du jour de ces réunions, qui auraient lieu deux fois par an, en Janvier et en Juillet. Vous pourriez, bien entendu, provoquer une réunion extraordinaire, toutes les fois que vous le jugeriez utile.

Vous convoquerez à ces réunions:—

Le Bureau de la Chambre de Commerce;

Les quatre membres correspondants de cette Chambre à Sousse et à Sfax;

Les Vice-Présidents et les plus anciens Conseillers Français des Municipalités de Sousse et de Sfax;

Le Président et le Premier Vice-Président du Syndicat des viticulteurs, et de chacune des Associations Agricoles reconnues.

Les réunions seront présidées par vous ou, à votre défaut, par le Délégué à la Résidence.

Les Chefs de Service et les Agents de la Résidence pourront, avec votre autorisation, assister aux réunions et prendre part aux discussions.

Le Secrétaire sera désigné par la réunion, à la majorité des suffrages.

Les délibérations ne seront pas publiques; elles n'auront qu'un caractère purement consultatif, et ne seront, par conséquent, suivies d'aucun vote emportant une décision. Mais les membres présents auront à émettre leur avis sur chacune des questions inscrites à l'ordre du jour, et cet avis sera mentionné au procès-verbal.

Les procès-verbaux exposant les détails de la délibération seront transmis, en copie, en extenso, au Ministère des Affaires Étrangères, par votre intermédiaire. Les originaux resteront dans les archives de la Résidence Générale.

Je me plais à espérer que les avis émis, dans ces circonstances, par les membres les plus autorisés de la colonie, fourniront au Gouvernement du Protectorat, ainsi qu'aux Administrations Françaises compétentes d'utiles lumières, et que les mesures qui seront prises ainsi, après examen approfondi, et en tenant compte des vœux formulés par la colonie Française, contribueront, de plus en plus, à la prospérité du pays.

Recevez, &c.
(Signed) RIBOT.

No. 119.

Foreign Office to Intelligence Department.

(Secret.)

Sir,

Foreign Office, December 20, 1890.

I AM directed by the Marquis of Salisbury to transmit to you herewith a despatch and its inclosures from Her Majesty's Consul at Tunis,* embodying the information which he has collected during his recent visit to Bizerta and other points of interest on the Tunisian coast.

His Lordship would be glad if you would favour him with your opinion, and report upon these papers.

I am, &c.
(Signed) P. CURRIE.

No. 120.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received December 22.)

(No. 87.)

My Lord,

Tunis, December 15, 1890.

WITH reference to my despatch No. 60 of the 15th September last, I have the honour to inform your Lordship that the trial of M. Camus, late Commissary of Police at Kairwan, and two other constables implicated in the outrage on the British subjects, Battista and Francesco Grech, took place on the 2nd instant at the Court of Appeal at Algiers. The Commissary of Police was sentenced to one month's imprisonment, and the constables, named Casanova and Mohammed Kuejar, respectively, to six and one month's imprisonment.

I took an opportunity of an interview with M. Massicault to bring the case again under his notice, and to remind him of his assurances that he would be prepared, after the conclusion of the trial at Algiers, to discuss the amount of the compensation due to the British subjects.

M. Massicault replied that there was no necessity for further discussion on the subject, and expressed to me the readiness of the Tunisian Government to agree to my original demands, and to hand over the balance of 150*l.* which had remained in abeyance during the trial.

I hope, therefore, to report to your Lordship shortly the payment of the indemnity in full, and the final settlement of the question.

I have, &c.
(Signed) R. DRUMMOND HAY.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 26.)

(No. 426. Secret.)
(Extract.)

Paris, December 24, 1890.

M. RIBOT then entered into a statement of the aims and principles of French policy in the Mediterranean. With regard to Tunis, he said that no doubt a day would come when France would avail herself of some fit and favourable opportunity to place her authority there upon a more definite and exclusive footing, and that it would then be her interest to entertain in the most friendly and liberal spirit any proposal calculated to reconcile Italy to the maintenance of the French flag on the Tunisian coast. But that day, he added, was still distant, and the annexation of Tunis did not enter into the present designs or desires of the French Government. With regard to Tripoli, France had in that part of Africa no territorial ambition, nor any interests or objects beyond those which she shared in common with all the other Powers. In the meanwhile, his paramount object was the preservation of the *status quo* in the Mediterranean from any sort of disturbance. For even the slightest disturbance of it might bring the whole Eastern question to a premature crisis and precipitate a European war. With regard to Africa generally, he considered that the policy of any European Power that went out of its way to create difficulties for another European Power in the interior of that continent was a "politique détestable;" and he then alluded to a statement which he said he had seen in the newspapers that the Queen had lately received a letter from King Menelek. He did not know whether that statement was correct. But he was aware that a letter from King Menelek was now on its way to President Carnot, and that in this letter the King asserted that, although he had agreed to avail himself of the good offices of Italy in the event of misunderstanding with any other European Power, he had never made over to the Italian Government the unconditional and permanent representation of his foreign relations.

His Excellency concluded by saying that the French Government would not take advantage of any such assertion on the part of King Menelek to cause any embarrassment to Italy in regard to her difficulties in Abyssinia or elsewhere. There was, he said, no disposition on the part of France to act towards Italy as a "mauvais coucheur" in Africa, and to this policy she would adhere in her own interests, although it received no encouragement from that of Italy in reference to the French possessions on the Somali Coast.

After I had seen M. Ribot, I happened to receive a visit from M. Rasmann, and I took that opportunity of questioning him about the alleged increase of hostility towards France in the tone of the Italian press. M. Rasmann said that, although the tone of the Italian press was no doubt inspired by a vigilant mistrust of France, the source of its inspiration was not Signor Crispi, but the common sentiment of the whole Italian nation, which watches with the deepest suspicion and misgiving the intrigues of the French Government in the Mediterranean. These feelings, he said, would be wholly unaffected by any such event as the fall of Signor Crispi, to whose influence they were erroneously attributed by French politicians. He then reiterated the expression of his own conviction and that of his Government that (notwithstanding all denials to the contrary) the Bey of Tunis had been induced by the French Government to sign some secret document, setting aside the natural succession and the sovereignty of Tunis, and bequeathing it to France after the death of His Highness. M. Rasmann had no doubt that, whenever that event takes place, the document in question will be produced, and the terms of it carried out. He said that on the eve of the establishment of the French Protectorate at Tunis the Italian Government had received from that of France the most positive assurance that no such project was in contemplation, and this rendered it impossible to place the smallest reliance upon similar assurances in reference to similar designs, and, without very substantial compensation, Italy would never acquiesce in the annexation of Tunis by France. M. Rasmann then referred again to the works at Bizerte undertaken by M. Couvreux. He considered that when those works are carried out Bizerte will be the finest naval harbour in the world; and he spoke of Bizerte and Toulon as two loaded pistols permanently held at the head of Italy by France.

Bizerte: Port Militaire.—(Communicated to the Marquis of Salisbury by Count Tornelli, December 26.)

BIZERTE ou Benzert, l'ancienne Hippo-Zarytos des Phéniciens, située sur la côte de la Tunisie, là où le Continent Africain s'allonge vers la Sicile, est à cheval sur le bras de mer qui mène au lac du même nom. Ce lac a une étendue et une profondeur suffisantes pour offrir aux plus gros navires à l'achèvement des travaux, 50 milles carrés de mouillage. Ainsi placée sur la Méditerranée, favorisée par la nature qui lui a donné un port très vaste et parfaitement à l'abri des colères de la mer et des attaques des flottes ennemies, et se trouvant aujourd'hui aux mains d'une Puissance Maritime de premier ordre, Bizerte est un élément de grande valeur dans le calcul des ressources défensives et offensives actuellement à la disposition des différentes Puissances Européennes.

Cette nouvelle situation, créée par les événements de 1881, attira immédiatement l'attention des Cabinets intéressés au maintien de l'équilibre dans la Méditerranée, et il en vint cet échange de notes, de remontrances d'un côté et de vagues assurances de l'autre, qui, commencé dès la descente des Français en Tunisie, n'a pas encore pris fin.

Il appert de cet échange de notes qu'au commencement de 1889, le Premier Ministre de Sa Majesté Britannique paraissait avoir pris un grand intérêt à cette affaire, à cause de laquelle de pressantes démarches avaient été faites auprès de lui, même de Berlin, mais que, plus tard, des explications fournies à Paris l'avaient persuadé que "les travaux projetés n'avaient point de grande importance." Une année après, le 3 Juin dernier, toujours convaincu que ce qu'on était en train de faire ou de projeter pour Bizerte n'offrait qu'une médiocre importance, il disait à l'Ambassadeur du Roi que "si, comme il le désirait et l'espérait, l'Angleterre et l'Italie restaient unies, leurs forces navales suffisaient à leur donner la supériorité sur toute autre Puissance, et n'avaient rien à redouter des fortunes de Bizerte." Plus tard, en Septembre, le Sous-Secrétaire d'Etat aux Affaires Etrangères déclarait que "les travaux en voie d'exécution ne paraissent pas encore avoir un but militaire."

Les considérations suivantes pourront démontrer que l'avis exprimé par le Foreign Office n'est guère conforme à l'état réel des choses.

En creusant de quelques mètres le port actuel de Bizerte et en élargissant le canal d'entrée moyennant la démolition de la Kasba, on répondrait suffisamment aux exigences du commerce qui est à peu près nul, comme il est démontré à l'évidence par les recettes de la Douane, qui n'atteignent jamais 50,000 fr. par an. Or, comme il n'est guère admissible qu'on songe à faire de Bizerte le port commercial de la Tunisie, de grands travaux étant en même temps en cours d'exécution dans le port de Tunis,* à 32 milles de Bizerte, il est facile d'en conclure que tout ouvrage visant non pas à améliorer le port actuel mais à en créer un nouveau de grandes proportions, a un but essentiellement militaire. Et les travaux qu'on est en train d'exécuter à Bizerte ont précisément en vue un port immense, l'un des plus grands du monde, pour lequel on creuse un canal d'entrée de 200 mètres de largeur et de 12 mètres de profondeur.

Il est à remarquer que quand même le mouillage serait de beaucoup plus limité, la profondeur que l'on veut donner à ce canal suffit à prouver qu'il est destiné aux grands navires de guerre. En effet, il n'y a pas aujourd'hui de navire marchand ayant un tirant d'eau de 8 ou 9 mètres, qu'atteignent seulement les navires de combat de première classe, jaugeant de 12,000 à 14,000 tonnes. Le Canal de Suez, qui intéresse tous les pays, qui a été creusé exclusivement pour le commerce, et donne passage aux plus grands steamers de toutes les marines marchandes du monde, n'a qu'une profondeur de 8 mètres.

Il existe d'ailleurs des preuves directes que dans ce que l'on fait ou qu'on compte faire à Bizerte on s'est proposé pour but non le commerce mais la guerre. On trouve ces preuves dans la construction d'une grande caserne pour laquelle on a publié dès le mois de Mai dernier le Décret d'expropriation du terrain nécessaire; dans la construction déjà achevée de baraques pour le génie militaire; dans l'augmentation de l'effectif de la garnison qui a eu lieu ces derniers jours; dans la construction imminente d'ouvrages de fortification en vue desquels le Gouvernement Tunisien vient

* M. Ribot, Ministre des Affaires Etrangères, dans un Rapport présenté le 15 Octobre, 1890, au Président de la République, expose qu'il y a en voie de construction: (1) un avant-port à la Goulette; (2) un canal de 8 kilom. de longueur et 6 m. 50 c. de profondeur de la Goulette à Tunis à travers le lac de ce nom; (3) un bassin à Tunis. Le tout devant être achevé en Juillet 1894. La dépense prévue est de 12 millions.

de publier (le 3 de ce mois) un Décret du Bey portant constitution de servitudes militaires.* En dernier lieu la fondation d'une grande Compagnie appelée du Port de Bizerte avec un capital de 9,000,000 fr., prouve qu'il ne s'agit point de travaux de petite importance mais bien de travaux grandioses dans lesquels, d'après ce qu'on vient d'exposer et malgré le caractère privé qu'on leur a artificiellement donné, on peut, selon toute raison, reconnaître l'intention de faire de Bizerte un port militaire.

Il est inutile d'objecter qu'il faudra de plus grandes sommes et beaucoup d'années pour que cette transformation s'accomplisse; on ne sait que trop que lorsqu'il s'agit de pareils travaux, qui intéressent la défense nationale, les crédits sont toujours accordés aussitôt qu'ils deviennent nécessaires. Il faut au contraire remarquer, ce qui n'est pas aussi universellement connu, qu'il ne faut point de travaux de grandes proportions pour faire de Bizerte un port de guerre, mais qu'il suffit relativement de peu de chose, de façon que le temps et les dépenses nécessaires ne seraient rien moins que proportionnés aux résultats que l'on obtiendrait.† Il ne faut d'ailleurs pas oublier que quand même la place ne serait point fournie de tout le nécessaire dès le commencement des hostilités, elle n'en serait pas moins une grande ressource pour la France et une menace sérieuse pour ses ennemis, si seulement le canal en était rendu praticable aux grands navires sous la protection de quelques puissantes batteries côtières, et si la place contenait les approvisionnements indispensables de charbon, vivres, et munitions de guerre et les moyens nécessaires pour radoubier des navires.

Il n'y a par conséquent rien que de vraisemblable dans la supposition que la France si elle veut (et tout nous prouve qu'elle le veut), posséder à Bizerte, dans un peu plus de cinq ans, un port militaire vaste et sûr qui lui servira de base pour des expéditions maritimes dans la Méditerranée méridionale, et de port de refuge en cas d'insuccès. Et quand même cela n'arriverait que dans dix ans, y a-t-il moyen de ne pas voir que sa puissance sur mer en serait énormément augmentée?

La France ne possède actuellement sur la Méditerranée qu'un seul port militaire, celui de Toulon, qui occupe, par rapport à l'Italie méridionale et à la Mer Ionienne, une position tellement excentrique qu'un gros convoi de troupes de débarquement ne pourrait mettre à la voile de ce port pour le sud de la péninsule ni pour la Sicile, sans courir de graves dangers, soit à cause de la distance à franchir, soit à cause de la flotte Italienne qui, de la Madeleine, surveillerait ce mouvement. Mais lorsque Bizerte sera devenue accessible aux grands navires et ceux-ci pourront y trouver du charbon, des vivres, des munitions de guerre, et des moyens pour réparer leurs avaries, lorsque cette place sera munie de fortifications maritimes et terrestres, les Français seront alors en mesure de menacer de la côte Tunisienne, les escadres ennemies manœuvrant dans le bassin méridional de la Méditerranée, et pourront se porter en vingt heures sur Naples en évitant les eaux surveillées, de la Madeleine, par la flotte Italienne, et se jeter en huit heures sur Cagliari et sur la Sicile.

Il n'y a rien d'exagéré dans l'importance que nous attribuons plus haut aux difficultés provenant de la distance à laquelle Toulon se trouve des côtes de l'Italie méridionale. Il ne s'agit en effet ni d'une escadre ni d'une flotte qui peuvent naturellement parcourir la Méditerranée quel que soit l'état de la mer; il s'agit d'un convoi de navires de transport (plus de cent) qui doivent naviguer de conserve sous la protection d'une escadre et par conséquent marcher lentement. Ce convoi, au surplus, ne serait pas en mesure d'opérer le débarquement par un mauvais temps et devrait, dans ce cas, chercher un abri, ou rebrousser chemin jusqu'à Toulon, en s'exposant, dans les deux hypothèses, au danger d'une attaque de la part de la flotte Italienne s'appuyant sur la Madeleine. Ces difficultés ne proviennent donc pas de la distance, mais des dangers que le convoi doit courir pendant cette longue traversée, et qui peuvent venir de deux différents côtés de la mer, l'état de laquelle peut rendre impossible d'atteindre à temps le point d'atterrissage, ou empêcher l'opération même du débarquement, et de la flotte ennemie à laquelle on offre de cette manière une occasion favorable pour attaquer en route le convoi.

Bizerte étant donnée comme point de départ, tous ces dangers disparaissent. On y concentre le corps de débarquement (la France n'est pas obligée de faire venir, à cet effet, des troupes d'Europe, attendu qu'elle a en Algérie un corps d'armée permanent et pourvu de tout ce qu'il faut), on y rassemble et on y tient prêts les transports, on

* L'Article 1 du Décret, vu par le Ministre Résident-Général de la République, fixe la zone de servitudes au "Polygone exceptionnel du village des Andaloux" qui est un faubourg au bord de la mer, immédiatement au nord de Bizerte.

† Dans son Rapport présenté M. Ribot dit que "la Compagnie est fondée, ses Statuts sont publiés, et les travaux sont en cours d'exécution."

‡ Le canal aurait un kilomètre et demi de longueur dont un tiers seulement à creuser, dans toute sa profondeur, dans la langue de terre qui sépare le lac de la mer.

attend ensuite que les conditions générales de la guerre soient favorables à l'opération, et par un soir de calme le convoi met à la voile, se présente le lendemain au point du jour, sans avoir été signalé sur la côte de Sicile, et opère le débarquement bien avant que les forces destinées à la défense de l'île aient eu le temps d'accourir.

Il est inutile d'ajouter que la descente en Sicile d'un gros corps d'armée (85,000 à 100,000 hommes) aurait une grave influence sur le sort de la guerre. Un pareil événement serait un désastre matériel et moral et pourrait même entraîner une défaite définitive. Il faut plutôt faire remarquer que si la France voulait renforcer dès le début des hostilités ses garnisons d'Algérie, ses ressources maritimes et le nouveau port de Bizerte lui permettraient, la traversée étant très courte et la Madeleine bien éloignée, de porter en Sicile jusqu'à deux corps d'armée, c'est-à-dire 60,000 hommes, en s'assurant par là la supériorité numérique sur les troupes chargées de la défense de l'île.*

Cependant l'accroissement énorme de force que la France tirerait le cas échéant, de la possession d'une nouvelle base d'opérations maritimes dans la Méditerranée, n'est pas fait pour préoccuper seulement l'Italie et ses alliés les Puissances centrales; cela regarderait aussi de très près l'Angleterre, quand même l'alliance de cette Puissance avec l'Italie serait un fait accompli. Ce ne sont pas, en effet, les "fortins de Bizerte" qu'on aurait à craindre, mais la nouvelle situation qui serait créée par l'existence, sur la côte d'Afrique, d'un port militaire Français, d'où la France pourrait aisément attaquer l'Italie du sud, et la Sicile sans avoir à redouter les mouvements de la flotte Italienne opérant de la Madeleine. Ce nouveau port militaire paralyserait l'action de la Madeleine dans la Méditerranée méridionale, rendrait nécessaire le maintien d'un gros corps d'observation en Sicile et d'autres forces considérables dans les villes maritimes de l'Italie du sud. Il deviendrait par conséquent nécessaire de diminuer d'autant les troupes à porter au delà des Alpes, et cela même si l'Angleterre et l'Italie étaient alliées.

Telles sont les conséquences de la création, à Bizerte, d'un nouveau Toulon; tels sont les dangers que l'Italie doit redouter bien plus que les attaques directes sur ses navires pouvant partir des fortifications du nouveau port. Ces fortifications ne seraient que le complément nécessaire de toute place maritime, et doivent être considérées comme telles, et non comme des ouvrages placés sur un bras de mer par où il serait indispensable de passer.

Mais ceci n'est pas tout. Si la création du nouveau port militaire nuit directement à l'Italie et indirectement à ses alliés, à cause de la diminution de la puissance offensive du Royaume et du danger que court la Sicile, l'Angleterre aussi, bien qu'elle soit, ou plutôt parce qu'elle est la première Puissance Maritime du monde, en ressentirait un préjudice sérieux, même si elle était l'alliée de l'Italie et indépendamment du dommage indirect auquel elle serait exposée en cette dernière qualité.

Il suffit, en effet, de se rappeler quelle est la situation respective de Gibraltar, Bizerte, Malte, et Port-Saïd pour voir que le jour où Bizerte sera un port militaire, elle occupera une formidable position offensive sur le flanc de tous les navires se rendant de l'Orient à l'Occident et vice versa. Elle sera parfaitement en mesure de harceler et même d'arrêter complètement le commerce de Gibraltar à Malte et à la Mer Rouge, c'est-à-dire, le commerce de l'Angleterre avec les Indes, et d'empêcher la jonction des flottes Anglaises ou Anglo-Italiennes dans la Méditerranée méridionale. Ce qui forcerait l'Angleterre, si elle était l'alliée de l'Italie aussi bien que si elle demeurait neutre, à augmenter ses forces navales dans la Méditerranée, en restant néanmoins menacée dans son commerce, qui est pour elle la vie, et en dégarnissant nécessairement la Manche où, en cas de conflagration Européenne, il lui faut absolument être maîtresse de la mer.

Rome, le 7 Décembre, 1890.

* Les études pour la défense de la Sicile en cas de guerre avec la France, sont fondées sur l'hypothèse d'un débarquement de deux corps d'armée. Le transport d'une pareille force sur les côtes occidentales de la Sicile pourrait s'effectuer, de Bizerte, en plusieurs fois, grâce au voisinage de ce port, et sans qu'il soit, par conséquent, nécessaire de rassembler un nombre immense de transports ainsi qu'il le faudrait s'il s'agissait d'amener ces mêmes troupes de Toulon, en un seul convoi.

Sir E. Malet to the Marquis of Salisbury.—(Received December 29.)

(No. 267. Confidential.)

My Lord,

Berlin, December 26, 1890.

BARON von MARSHALL spoke to me to-day about Signor Crispi's apprehensions in regard to the designs of France in Tunis. His Excellency said that there appeared to be an intention on the part of the French Government to bring about a question of delimitation of frontier in the direction of Tripoli, that there was an oasis somewhere in dispute, and that the French Government was urging the Porte to cause the line of frontier to be rectified so as to include this oasis within the Tunisian boundary. The rectification desired might in itself be a matter of small importance, but the Italians, with Signor Crispi in the front rank, were so touchy about everything concerning Tripoli that an insignificant incident of this kind might lead to consequences out of proportion with its intrinsic merit. Signor Crispi was exceedingly uneasy about Bizerta and regarded the projects on foot with regard to it, though invested solely with commercial objects, as fraught with danger to Italy in the future.

In this view Baron Marshall seemed rather to agree, being imbued with a complete distrust of French assurances, and he observed that Signor Crispi was fortified in his apprehensions by a remark which M. Ribot had a short time back made to M. Rössmann, the Italian Chargé d'Affaires at Paris, to the effect that the assurances on the subject of Bizerta, formerly given by M. Barthélemy de St. Hilaire, having only been recorded in a despatch, were not of the nature of an international engagement and had no binding effect on his successors in office.

This extraordinary statement had raised an acute note of alarm in Signor Crispi's mind, and it was hardly to be wondered at if he now showed what appeared to those who did not know this incident to be exaggerated apprehensions. Baron von Marshall added that Signor Crispi had not been clever in his handling of the Porte, and that the French Government had taken advantage of his mistakes to imbue the Sultan with a complete distrust of Italy.

I asked Baron von Marshall whether he proposed to take steps of any kind in regard to the proposed delimitation of frontier about which he had spoken, and he replied that the present aspect of the case was too shadowy and the affair might come to nothing. He only mentioned the matter to me because he felt that little clouds in that direction should always be watched with close attention.

I have, &c.
(Signed) EDWARD B. MALET.

No. 124.

Mr. R. Drummond Hay to the Marquis of Salisbury.—(Received December 30.)

(No. 88.)

My Lord,

Tunis, December 23, 1890.

I HAVE the honour to report to your Lordship the arrival, lately, at Bizerta of a Norwegian vessel from Trieste with a cargo of wood on board destined for the works of the new port.

A rumour is also current that eight guns of large calibre are expected by the military authorities of the place from France for the defences of the port.

It is not yet known, however, where the guns will be mounted.

I have, &c.
(Signed) R. DRUMMOND HAY.

No. 125.

The Earl of Lytton to the Marquis of Salisbury.—(Received December 31.)

(No. 63. Most Confidential.)

(Telegraphic.) P.

Paris, December 23, 1890.

THE French Minister for Foreign Affairs informs me that he has had great difficulty in preventing an explosion in the French Chamber owing to the bitterness of the anti-

French press in Italy, and he begs me to solicit your good offices in inducing Signor Crispi to moderate its activity, as M. Ribot considers it has now reached a dangerous pitch.

Public feeling here is exasperated by the false charges which are continually being made of French designs on Tripoli. The French Government has repeatedly repudiated in the most emphatic manner these and other misrepresentations of a similar character.

His Excellency also referred to the hostile attitude of the Italian Government on the Somali Coast. M. Ribot said that the French Government were most anxious to maintain undisturbed the *status quo* in the Mediterranean basin, and that it was not their intention to cause any embarrassment to Italy in Abyssinia or elsewhere, but that Italy is stretching the cord so tight that unless the present tension is relaxed it may ere long snap.